



Maricopa County  
Recorder Stephen Richer



Maricopa County  
Board of Supervisors

May 4, 2022

Attorney General Mark Brnovich  
Arizona Attorney General  
Arizona Attorney General's Office  
2005 N. Central Avenue  
Phoenix, AZ 85004

Dear Attorney General Brnovich:

When election integrity is challenged, we have the collective responsibility to investigate and report our conclusions thoroughly and honestly. We have. You have not. The 2020 election was fair and the results indisputable. Rather than being truthful about what your office has learned about the election, you have omitted pertinent information, misrepresented facts, and cited distorted data to seed doubt about the conduct of elections in Maricopa County. Given the oaths you took as both a lawyer and elected official, we were shocked by your April 6<sup>th</sup> letter.

Shortly after the election we were optimistic that the effort for post-election review and analysis was an attempt to acknowledge what was done right and focus on areas to improve our elections. Quickly we learned of a much different goal being pursued by many holding political power, some hoping to gain political power, and others maneuvering to regain it. We have consistently put truth over political strategy.

Because election integrity is important to the voters of Maricopa County and all of Arizona, Maricopa County invited you to attend and watch the audits conducted by Pro V&V and SLI Compliance in February 2021. Both Pro V&V and SLI Compliance are Election Assistance Commission accredited Voting System Laboratories. Your office declined the invitation and no one from the Attorney General's Office was in attendance. Both audits confirmed that the tabulation equipment was using certified software, had no malware installed, was not connected to the internet, and had not been hacked.<sup>1</sup> Despite knowing this, and your prior unqualified support of the certification, you defended the Senate's audit and threatened to sue the federal government if it interfered.

We were all very disappointed when we read your April 6, 2022 "interim report."<sup>2</sup> Your "interim report" is inconsistent with your statement on November 11, 2020 that "what really happened [is that] people split their ticket. That's the reality. Just because that happened doesn't mean it's fraud." It is also inconsistent with your office's decision against filing any lawsuit following the election.

One cannot play politics with the instruments of the law. One cannot play politics with prosecutorial power. One should not play politics with the lives of the 165 ordinary Arizonans in the Recorder's Office and Elections Department who have suffered through physical threats, threats of legal punishment, and

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<sup>1</sup> Auditing Elections Equipment in Maricopa County: <https://www.maricopa.gov/5681/Elections-Equipment-Audit>

<sup>2</sup> Attorney General's "Interim Report" attached as Exhibit A





harassment—all of which were renewed upon the release of your “interim report.” That is antithetical to tenets of democracy and, more importantly, basic morality.

#### **OMISSIONS**

Your “interim report” purports to be an update of your office’s analysis of the Cyber Ninjas claims. In the almost seven months since its investigation began, your office has examined at least 30 issues<sup>3</sup>.

However, your “interim report” chronicles only a small number of the items analyzed by your investigators. Recorder Richer first met with your investigators to discuss the inaccurate allegation of deleted election files on September 29, 2021. That item did not appear in your interim report. Nor did the much-discussed item of internet connectivity. Nor did it discuss the Special Master’s Report, nor the cooperation we have extended to your office since well before the 2020 election.

You did not include these “clean” issues in your interim report, perhaps because that would undermine the intended political narrative of your “interim report.”

#### **MISSTATEMENTS OF THE RECORD**

##### **BALLOT COLLECTION FROM POLLING PLACES AND DROP BOXES**

The early voting ballot transportation statements (EVBTS) are documents that record the transmittal of sealed boxes of ballots from early voting centers or drop boxes to the Election Department for tabulation. There are approximately 1,900 statements. The Election Procedures Manual at Chapter 2, section I, paragraph 1.7 requires that voted ballots be retrieved and placed in a secure ballot container by two people. A retrieval form is to be prescribed by the County and is to include dates and times of departure from the early voting center or drop box location and time of return to the Election Department.

You incorrectly assert that, because data was missing from some of the forms, some 100,000 to 200,000 votes may be subject to question. The County’s review of the EVBTS shows an error rate of less than 1%. Moreover, that error rate is with respect to the completion of the form, not the integrity of the ballots, which were sealed in envelopes that, in turn, were sealed in boxes that the couriers were prohibited from opening. Your agents spent less than one hour reviewing the statements at the Election Department and had no follow up questions about the forms that went unanswered.

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<sup>3</sup> Issues examined include: Ballot Tabulation Center — segregated air gapped network, live security video feeds and surveillance footage, physical security and access controls, credential management, electronic adjudication, data archival processes, tabulation security logs/settings, duplication procedures, chain of custody documents, tabulation operations; SiteBooks — physical and logical security, logging, secure connections; Voter Registration — data entry list maintenance, referendums, Motor Vehicle Division checks, candidate petition review, AVID queue procedures, System/Software Design, software architecture, data archival and backup policy; Early Voting procedures — signature verification, curing, chain-of-custody; Network and Cyber Security — cyber security posture and applications used, cyber security measures, network topology. In addition to these topics, the County also provided over 4,000 pages of election policies and procedures.





## PROMPT RESPONSE BY THE COUNTY TO REQUESTS FOR INFORMATION

Perhaps the most insultingly inaccurate allegation of your interim report is that Maricopa County did not fully cooperate with your office's investigation into the Cyber Ninjas. We have attached, as Exhibit B, a list of over 100 interactions that we have had with your office since late September 2021. We answered every question asked by your office; most on the same day or the next day. Responses that took longer required research. Your investigators have thanked the County for its cooperation.

All of our interactions with your criminal investigators were done on a voluntary basis. You did not subpoena us. You did not sue us. We volunteered in good faith to work with your investigators to answer any and all questions. Recorder Richer personally told multiple attorneys on your staff that they should let him know if they ever thought the County had not provided an answer or was not moving quickly enough. The County's outside counsel, Ed Novak, was always available by phone and email.

We did this despite also producing a 93-page analysis of, and response to, the Cyber Ninjas report.<sup>4</sup> We did this despite also having to participate in, and comply with, an investigation by the Auditor General.<sup>5</sup> We did this despite having to participate in, and comply with, a Special Master investigation.<sup>6</sup> We did this despite having a decennial redistricting. We did this despite fulfilling our normal statutory responsibilities of recording documents, registering voters, and administering elections, including running a smooth election in November 2021 of 1.4 million eligible voters and a smooth Tempe City Council election in March 2022.

Top staff at the Recorder's Office and Elections Department have invested many, many hours in assisting your office with its assessment of the Cyber Ninjas report.

Regarding public records requests, we are statutorily required to process these requests, whether they come from your office or anyone else. We take this public duty seriously. For example, the Recorder's Office fulfills its average public records request in under seven days—a feat that we doubt is matched by many other governmental units in Arizona. The Recorder's Office has achieved this despite an enormous increase in the number of requests. The Recorder's Office received 86 public records requests in March 2022 alone. Prior to 2018, the Recorder's Office would often get fewer than 86 public records requests over an entire year. In the first quarter of 2022, we received and fulfilled 177 public records requests.

Your office made three separate public records requests, each with several parts and subparts. One on October 7, 2021, one on October 14, 2021, and one on March 9, 2022. Your requests made significant demands. Throughout the process, we told your office to let us know if you ever felt something was missing. We have fulfilled every single public records request.

<sup>4</sup> [Correcting The Record - January 2022 Report.pdf \(maricopa.gov\):  
https://recorder.maricopa.gov/justthefacts/pdf/Correcting%20The%20Record%20-%20January%202022%20Report.pdf](https://recorder.maricopa.gov/justthefacts/pdf/Correcting%20The%20Record%20-%20January%202022%20Report.pdf)

<sup>5</sup> [Arizona Secretary of State, Maricopa County, and Pima County - Use of Private, Nongovernmental Grant Monies and Maricopa County Voting System Procurement \(azauditor.gov\)](#)

<sup>6</sup> [Final-Report-Answers-to-Senate-Questions \(maricopa.gov\)](#)





## Maricopa County Recorder Stephen Richer



## Maricopa County Board of Supervisors

Given your mischaracterization of Maricopa County's cooperation with your public records requests, we have asked the Maricopa County Attorney's Office to make a public records request of *your* office for all public records requests that have been transmitted to *your* office in the past two years, and if, and when, they were fulfilled. We will also be sending a public records request to the Arizona Senate to try and understand how letters, communications, and/or findings from your investigation are known by members and/or staff of the Republican caucus.

The County demurred some requests for the ballots and machines from the Senate and with good reason. We sought court guidance on whether the release was lawful. When the court ruled, we produced the material. We acknowledged our concern was that the equipment and data requested would be inappropriately handled and misused. That is exactly what happened. The County had a claim for damages to equipment released to the Senate. Much of that equipment could not be reused and had to be replaced. The taxpayers of Maricopa County are bearing the cost, which is in the millions of dollars.

One of your office's requests was in the form of a preservation and litigation hold letter. You incorrectly describe this as a request to preserve data only, not equipment. You should read the letter. It instructs the County to preserve:

Election equipment used to administer the 2020 Statewide Election, including systems used to verify ballot affidavit signatures, tabulators, computer equipment, and all elections management equipment....

Equipment means equipment, not data. There was no misinterpretation by the County. And, yes, when the County objected and pointed out the millions of dollars it would cost to replace that equipment, your office relented and said the equipment could be reused and need not be preserved in the condition it was in during the 2020 election. The County also pointed out that neither you nor your office had any basis for issuing a litigation hold and cited you to Arizona case law and the Arizona Rules of Civil Procedure. Instead of "battling" you in court as you allege, the County sent a letter pointing out the lack of authority for a preservation demand but agreeing to maintain preservation of data. You again misrepresent the facts.

On October 7, 2021, your office sent a broad request for policies, procedures, manuals including originals and updates, plus emails, memorandums, and other communications. That response came when, as stated above, the Elections Department and the Recorder's Office were preparing for jurisdictional elections, which are by law mail-in only elections. The Recorder and the Elections Department were preparing for and dealing with 1.4 million mailed ballots.<sup>7</sup> So, yes, the County response took some time to prepare. The County response, completed in late January, included 4,429 pages of material.

Your office took more than one month to review those materials, sending the County a letter dated March 9, 2022 in which it claimed that three policies were not provided, along with a series of new requests. When we did not immediately respond, you sent that letter to Sen. Townsend. Rather than calling or

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<sup>7</sup> During this same time frame, the County was updating voting precincts and justice court precincts, administering an election serving 25 voting jurisdictions, responding to an auditor general report, responding to the Senate audit report, responding to questions for the House Oversight Committee, and implementing new boundaries resulting from redistricting.





emailing and asking for the three missing policies, you sought the assistance of the Senate to subpoena the County. The County sent a detailed reply to both your office and the Senate. In the letter, the County explained that the majority of the March 9 letter was for new information and was not a "third" request for the same information as the letter implied.

#### **SIGNATURE VERIFICATION AND THE STEVE BANNON INTERVIEW**

On April 7, 2022, Steve Bannon published an interview with you in which you made a number of inaccurate statements. Importantly, your investigators have been told repeatedly that machine-aided signature verification or "AI" as you call it, was not used in the 2020 general election. That bears repeating. Signatures were reviewed by humans, not by artificial intelligence programs. But your office already knew that.

Though references to artificial intelligence did not make it into your "interim report," you somehow deemed it appropriate to appear on television on April 7, 2022 to allege that you had received a letter from Maricopa County "admitting" that the County used artificial intelligence to verify signatures in the 2020 general election. But the referenced letter, which you posted to the internet, says no such thing.<sup>8</sup> Nor do any of the training materials provided to your investigators on February 9, 2022. We also provided your investigators with in-person instruction on the signature review process where they were told that artificial intelligence is not used to verify signatures. We told your investigators many times that all signatures are verified by humans. In short, your office knew that all signatures were verified by human beings. You stated publicly the opposite. Repeatedly.

You also stated in your "interim report" that the County spent an insufficient amount of time on each signature verification. But even assuming your unexplained calculation for one day is correct, you offer no evidence, data, study, reports from other jurisdictions, or otherwise, to suggest that the time you calculated is insufficient. We also know of nobody in your office who has ever worked on signature verification for Maricopa County to even have a baseline for such a judgment. As such, this seems like speculation – unaccompanied by a true study – for the purpose of insinuating unlawful action. That seems inappropriate for a prosecutor to publish.

Your "interim report" also fails to address the training materials we sent to your investigators on February 9, 2022. Those materials included videos and guides used to instruct the many employees engaged in the signature verification process. Those materials prioritized accuracy of review over speed.

#### **THE REDUCED NUMBER OF MISSING AND MISMATCHED SIGNATURES**

You also question the number of ballots rejected during the November 2020 election. You allege that the rejection of 1,455 ballots due to missing signatures, and the rejection of 587 ballots due to rejected signatures, is suspiciously low. As a comparison, you offer only one presidential data point—Maricopa County during the 2016 election. You offer no evidence from other voting jurisdictions and no scientific studies.

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<sup>8</sup> Attached as Exhibit C





You acknowledge that “there could be” valid explanations for the decline in rejections from 2016 to 2020, but you nonetheless blunder ahead to the insinuation that “Maricopa County became less diligent with signature review.”

That’s intellectually insulting to anyone who has taken the LSAT (presumably you) and is akin to the following hypothetical observation of your neighbor:

- I see you walk outside regularly
- I’ve never seen you walk home with wet hair prior to today
- Today you returned home with wet hair
- Therefore, I will insinuate that the neighborhood kids must have assaulted you with super soakers
- Given my position as chief law enforcement officer of the state of Arizona, I can be reasonably certain that people will start assuming that the neighborhood kids are rotten
- I will do this without thoroughly examining if it rained that day or other possibilities

In reality, there *are* other explanations as you posited “there could be.” First, in 2016, ballot curing ended at 7:00 PM on Election Day. By 2020, the law had been amended to allow for curing up to five business days after the election.<sup>9</sup> Second, for the November 2020 election, the County hired over 40 temporary workers solely dedicated to curing ballots. Never before had the County committed such large resources to ballot curing. Third, for the November 2020 election, Maricopa County implemented a never-before-used night shift for the curing process. Fourth, technology advances allowed new, effective methods for curing ballots (for example, contacting voters by text message). Fifth, the County had implemented both a ballot tracking website (BeBallotReady.Vote) and text message service (text JOIN to “683683”) to allow voters to proactively ensure that their signatures had been validated. Sixth, the number of early ballots voted, or dropped off, at early voting locations increased from 44,676 in 2016 to 210,058 in 2020. Early voting location workers are trained to check for a signature before the voter deposits his ballot in the secure box. Owing to the increased involvement of the Board of Supervisors beginning in 2019, the County enhanced this training in the 2020 elections. In this manner, the County was able to proactively catch more unsigned affidavit envelopes before their deposit.

All of this is publicly available information. These measures allowed the County to decrease the number of ballots needing to be cured and increased to over 24,000 the number of ballots the County was able to cure in the 2020 election. Some might view this as an achievement to celebrate.

That you did not ask your investigators about these developments (or, if you did, that you ignored their answers), and that you did not thoroughly research these developments prior to writing your “interim report,” and that you instead chose to jump to the insinuation that the County had acted unlawfully, is woefully inadequate and irresponsible for an Attorney General let alone any attorney.

You told Steve Bannon that your “investigation” has taken time because you are thorough and you sort through the facts. The facts here do not support what amounts to guesswork on your part.

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<sup>9</sup> 2019 Senate Bill 1054, changed Arizona Statute providing voters 5 business days after Election Day in a General Election to cure a questioned signature.





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**THE AUDITOR GENERAL HAS ALREADY FOUND THAT MARICOPA COUNTY LAWFULLY AND APPROPRIATELY PROCURED AND SPENT PRIVATE GRANT MONEY**

The use of private money by election officials is now prohibited by state statute. It was not during the 2020 election cycle. The Auditor General Report that was released on March 30, 2022, found the grant money was procured and spent appropriately.

Maricopa County used the money to pay for additional staff, elections equipment, polling place rental, vote by mail, poll worker training, and personal protective equipment. Your letter says "our initial findings raise serious concerns regarding the legality of certain expenditures." Your "findings?" What "findings" have you made? Are you saying the Auditor General failed in her duties? Are you saying the Auditor General didn't thoroughly investigate? Or is the line simply a throwaway to promote fear and encourage suspicion of the election process?

**WHY NO DISCUSSIONS OF THE FRAUD CASES FOUND?**

On the first page of your letter, you write "[t]he EIU's review has uncovered instances of election fraud by individuals who have been or will be prosecuted for various election crimes." You knew, or should have known, that this unadorned statement would lead to readers to assume that either Maricopa County had committed fraud or that there were efforts at widespread fraud. And indeed, many people assumed exactly that.<sup>10</sup>

The truth is only available in a link included in a footnote. That link reveals 34 cases of "prosecution related to voting or elections *since 2010*" (emphasis added). Most of them aren't in Maricopa County, and the vast majority are unrelated to the November 2020 election. None involves the signature verification or ballot drop box issues that are the focus of your "interim report."

You also omit the role Maricopa County has played in assisting your investigators by referring questionable voter records. In the past year alone, Maricopa County has forwarded several cases of possible voter fraud to your office, and Maricopa County has responded to many requests for information from your investigators on other potential fraud cases. Maricopa County will not comment further on the cases it has referred and the information it has provided, but it is important for the public to know that this assistance has been provided to you by the County.

**PUBLISHING AN "INTERIM REPORT"**

We have searched your office's website for previous interim reports. We could not find any. The Recorder's Office has made several referrals to your office regarding matters of election integrity, including a referral on September 15, 2021 that an unknown person impermissibly posted a copy of the

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<sup>10</sup> See, e.g., Arizona Republican Party Chairwoman Kelli Ward's statement that. "Arizona AG Mark Brnovich has determined widespread FRAUD..." Available at: <https://twitter.com/AZGOP/status/1511867875203584002?s=20&t=owVAMGVJwFlj02q-4oVEbA>





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entire voter registration list to the internet.<sup>11</sup> We have not received an update from your office on that matter, and certainly no public interim report has been produced. Similarly, on July 7, 2021, the Secretary of State referred instances of possible attempted interference in the 2020 election administration to your office,<sup>12</sup> but your office has not released a public interim report regarding that referral.

That your office has consistently refused to comment on investigations and has seemingly never<sup>13</sup> before produced an interim report seems consistent with prosecutorial ethics. As many legal experts have stated, it's unusual for a prosecutor to comment on an ongoing investigation. In the Fourth Edition of *Criminal Justice Standards for the Prosecution Function* published by the American Bar Association, Standard 3-1.4(a) reads that "the prosecutor should be circumspect in publicly commenting on specific cases or aspects of the business of the office."<sup>14</sup> The Department of Justice "generally will not confirm the existence or otherwise comment on ongoing investigations."<sup>15</sup>

In publishing this "interim report," you have seemingly deviated from your office's usual practices and the universally accepted standards for ethical behavior by prosecutors. We suspect that politics played a role in this deviation.

This deviation has contributed to the consistent ground swell of elections misinformation flooding the internet. This includes a recent Op-Ed penned by our very own Arizona Senate Republican Leadership team. Senate President Fann and senators Borelli, Leach, and Gray use your "interim report" to vindicate their own actions misguided by the idea that the 2020 election was somehow riddled with errors and fraud. Your contribution to these narratives does nothing more than eat at the foundation of our democracy.

## CONCLUSION

Your use of an "interim report" to score cheap political points is beneath your office. You spread misinformation and seed doubt, which has led to renewed threats and harassment of County election staff. Today, we call on you to correct the record. For the health of our democracy. For the safety and wellbeing of our public servants. For the sake of your conscience and the oath of office you swore.

The letter you sent to Senator Fann and released to the public was replete with misrepresentations, omissions, and misstatements. You suggest "the election in Maricopa County left significant holes to be

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<sup>11</sup> [Referral letter included as Exhibit D.](#)

<sup>12</sup> <https://twitter.com/SecretaryHobbs/status/1412909800099176448/photo/1>

<sup>13</sup> Or rarely if our search was imperfect.

<sup>14</sup> American Bar Association, "Prosecution Function," Standard 3-1.4(a) *available at*: [https://www.americanbar.org/groups/criminal\\_justice/standards/ProsecutionFunctionFourthEdition/#:~:text=Standard%203%2D1.4%20The%20Prosecutor's%20Heightened%20Duty%20of%20 Candor,-\(a\)%20In%20light&text=\(b\)%20The%20prosecutor%20should%20not,for%20lawfully%20authorized%20investigative%20purposes.](https://www.americanbar.org/groups/criminal_justice/standards/ProsecutionFunctionFourthEdition/#:~:text=Standard%203%2D1.4%20The%20Prosecutor's%20Heightened%20Duty%20of%20 Candor,-(a)%20In%20light&text=(b)%20The%20prosecutor%20should%20not,for%20lawfully%20authorized%20investigative%20purposes.)

<sup>15</sup> Department of Justice Manual § 1-7.400.





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answered and addressed." Yet we have addressed your points with facts; facts that were known to you and your office before you sent the letter.

We should not have to remind you of your oaths. Yet here we are. You are not just an ordinary politician. You are the state's top prosecutor and you are held to a different standard.

As you know, the 2022 primary and general elections are fast approaching. Our priority—as always—is to run safe, secure elections that follow state and federal laws. This takes an immense amount of work, and that work is already underway. We need partners in this effort. We need elected officials who will do what's right, not what's easy.

So what will you do?

Will you help build public confidence? Or will you continue to undermine it?

Sincerely,

Recorder Stephen Richer

Chairman Bill Gates

Vice Chairman Clint Hickman

Supervisor Thomas Galvin

Supervisor Jack Sellers

Supervisor Steve Gallardo





MARK BRNOVICH  
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ARIZONA

April 6, 2022

The Honorable Karen Fann  
Arizona State Senate  
1700 W. Washington St.  
Phoenix, Arizona 85007

**RE: Interim Report - Maricopa County November 3, 2020 General Election**

Dear President Fann:

Six months ago the Arizona Attorney General's Office (the "Office") received reports sent from the Arizona State Senate concerning its Maricopa County Forensic Election Audit. In addition, the Attorney General's Election Integrity Unit (EIU) has received and is reviewing additional complaints alleging election failures and potential misconduct that occurred in 2020.

Our team of EIU investigators and attorneys has now collectively spent thousands of hours reviewing the Senate's audit reports and other complaints, conducting interviews, and analyzing Maricopa County's election system and processes. We have reached the conclusion that the 2020 election in Maricopa County revealed serious vulnerabilities that must be addressed and raises questions about the 2020 election in Arizona.

As our state's chief law enforcement officer, I am very concerned by any potential vulnerabilities in our state's election systems, including those that the audit and other complaints have alleged. The EIU's review has uncovered instances of election fraud by individuals who have been or will be prosecuted for various election crimes.<sup>1</sup> The EIU's review is ongoing and we are therefore limited in what we can disclose about specific criminal and civil investigations. Thus, this interim report will focus on what our office can presently share and the current status of our review.

We can report that there are problematic system-wide issues that relate to early ballot handling and verification. The early ballot signature verification system in Maricopa County is insufficient to guard against abuse. At times election workers conducting the verification process had only seconds to review a signature. For example, on November 4, 2020, the Maricopa

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<sup>1</sup> See Arizona Attorney General's Office – Fraud & Special Prosecutions Section, Prosecutions Related to Voting or Elections Since 2010, *available at* [https://www.azag.gov/sites/default/files/docs/criminal/viu/EIU\\_Prosecutions\\_February\\_2022-02-02.pdf.pdf](https://www.azag.gov/sites/default/files/docs/criminal/viu/EIU_Prosecutions_February_2022-02-02.pdf.pdf).



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County Recorder verified 206,648 early ballot affidavit signatures, which resulted in an average of 4.6 seconds per signature. There are simply too many early ballots that must be verified in too limited a period of time, thus leaving the system vulnerable to error, fraud and oversight.

Moreover, our review has determined that in multiple instances, Maricopa County failed to follow critical procedures when transporting early ballots from drop locations to the election headquarters. It is estimated that between 100,000 and 200,000 ballots were transported without a proper chain of custody. Because most voters in Arizona now choose to vote by early ballot, it is imperative that the processes for handling and verification of early ballots be strengthened before the 2022 elections per our recommendations below.

The first half of this report discusses document production issues we have confronted with Maricopa County and the EIU's ongoing review of the Senate's audit reports and other complaints. The rest of this report then sets forth our election integrity concerns and recommendations in the areas of early-ballot signature verification, ballot drop boxes, use of private grant monies by election officials, election document preservation and transparency, and our ongoing actions to defend election integrity in active litigation.

### **I. Document Preservation & Production Issues**

Our ongoing review of the Senate's audit reports requires that we carefully assess the Maricopa County election system and processes. Maricopa County has not always timely and fully responded to our requests for records, necessitating follow-up correspondence or additional requests. The most recent response from Maricopa County came just yesterday. Similar to the manner in which it responded to the Senate subpoena, Maricopa County occasionally chose a combative and/or litigious approach to providing requested information rather than assuming a posture of transparency.<sup>2</sup> Because we do not have civil subpoena authority, this has necessarily delayed the EIU in investigating all issues.

Following the receipt of the Senate's audit report, the EIU sent its First Request to Maricopa County on September 27, 2021, to notify Maricopa County that all materials related to the 2020 elections should be preserved, including all potentially relevant materials related to the 2020 General, Primary, and Presidential Preference Election. Maricopa County initially interpreted the letter as an attempt to sequester all election equipment and twice threatened legal action. The EIU reiterated the letter's stated purpose, to *preserve the data* contained on the equipment, not to sequester or prevent its ordinary use.

The EIU sent the Second Request to Maricopa County on October 7, 2021, requesting Maricopa County provide "all written procedures, policies, guidelines, and manuals (excluding the 2019 Elections Procedures Manual and the related Addendum) used by Maricopa County to conduct the 2020 General Election, whether official or unofficial, whether issued or written by Maricopa County or another county, agency, vendor, or third-party, including the original and

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<sup>2</sup> The Attorney General's Office filed an amicus brief in support of the State Senate's ability to subpoena information from Maricopa County involving the 2020 elections. *See* Minute Entry *supra* note 1, at p. 3.



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subsequent updates to those documents” and included “emails, memos, or other communications that provided temporary, preliminary, or permanent changes to any procedures, policies, guidelines, and manuals during the course of the 2020 General Election.”

Maricopa County provided the first set of responsive documents on or around February 1, 2022, nearly four months after the initial request. The EIU’s initial review found several deficiencies, including Maricopa County’s failure to provide internal policies and procedures that had been disclosed to litigants in various court proceedings, but were noticeably absent from the document set.

The EIU sent the Third Request to Maricopa County on March 9, 2022, renewing the request for *all* written procedures, policies, guidelines, and manuals, noting certain documents known to exist, but not provided. In addition, the Third Request included a new request for records related to mismatched signatures initially identified by a third-party review of ballot affidavit signatures but also independently verified by the EIU as potentially problematic ballot affidavit signatures. Notably, it was on March 23, 2022, only after Senator Kelly Townsend issued a subpoena to Maricopa County, that it acknowledged receipt of the Third Request. In Maricopa County’s response, three of the documents identified as missing from the initial response were provided, but documents such as any written procedures regarding the extra-statutory “Household Exchange” program used by Maricopa County to rehabilitate early ballot affidavits signed by the wrong household member remain outstanding. In addition, no emails or internal communications relating to the informal procedures have been provided to date.

On March 24, 2022, Maricopa County provided a partial response to our request for the signature files of the ballot affidavits that the EIU identified as being problematic. Instead of sending *all* signatures on file, as well as any historical records of attempts to cure, Maricopa County sent the ballot affidavit signature and one exemplar from the file. Many of the exemplars were from the August 2020 Primary, and virtually none were from the original voter registration form.

The Office is still receiving new information that is relevant to its ongoing review of the Maricopa County election systems. This includes materials from Maricopa County, which has not fully complied with the Office’s document requests. It also includes the completion of Special Master Shadegg’s report that was released on March 23, 2022, and the Auditor General’s Report on voting systems and private monies that was released on March 30, 2022. *See* Section V, *infra*. The Office is also reviewing newer analyses of early ballot signatures and potential ballot harvesting.

**Conclusion:** The Office’s investigation is still developing in material ways. The Office has been sending repeated requests for information from Maricopa County, and new information is coming in, including as recently as yesterday. This Interim Report comes at the six-month mark after the Senate sent its reports to the Attorney General. Investigations (civil and criminal) of this magnitude and complexity take many months if not years to complete.

To address the deficiencies and delays in the manner in which Maricopa County has chosen to cooperate with the EIU, we recommend that the laws be changed to require the



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immediate production of information when requested by the Arizona Attorney General. Notably, if Senate Bill 1475 had passed, it would have provided the Attorney General civil subpoena power, mirroring the AGO's civil powers under Arizona's Open Meeting Laws. *See* A.R.S. § 38-431.06. Absent such civil subpoena power, the AGO remains limited to submitting public records requests. Such power will help expedite the Office's review, but investigations of this magnitude take substantially longer than the present six months to complete.

### II. Early Voting Signature Verification

Mail-in voting is and has been a facet of Arizona law, but the opportunity for fraud increases the moment a ballot leaves the protective custody of the election official and enters the postal system. The bipartisan Commission on Federal Election Reform chaired by former President Jimmy Carter and former Secretary of State James Baker identified this concern and noted that absentee ballots are vulnerable to abuse in several ways that are difficult to detect, and therefore steps must be taken to reduce the risks of fraud and abuse. Report of the Comm'n of Fed. Election Reform, Building Confidence in U.S. Elections 46-47 (Sept. 2005). Although steps have been taken to reduce this fraud, including the enactment of Arizona's ballot harvesting ban, it is imperative that additional steps be taken to provide for a stronger and more uniform early ballot signature verification system and to increase transparency so that party observers can actually see the signature verification process in real time and lodge any objections, which should then be adjudicated in a fair manner. Each of these recommendations is discussed below.

There must be stronger procedures in place for early-ballot signature verification, and those procedures need to be uniform across the state. Under state law, an early ballot is not complete, and cannot be counted, unless and until it includes a signature on the ballot affidavit. Once received, election workers at the county recorder's office are required to compare the signature on the affidavit with the signature in the voter's registration record. A.R.S. § 16-550(A). If election officials determine that the signature matches that on file, the ballot is counted. If, on the other hand, election officials determine that the signature on the ballot affidavit does not match that on file, then the ballot cannot be counted unless the voter verifies the signature. Requiring a match between the signature on the ballot affidavit and the signature on file with the State is currently the most important election integrity measure when it comes to early ballots.

The Ninth Circuit acknowledged, in response to a constitutional challenge to the deadline for submitting signed ballot affidavits, that "Arizona requires early voters to return their ballots along with a signed ballot affidavit in order to guard against voter fraud." *Ariz. Democratic Party v. Hobbs*, 976 F.3d 1081, 1085 (9th Cir. 2020). Election officials, therefore, must be extremely diligent in ensuring that early ballot affidavit signatures match those on file with the State. Regardless of the sheer quantity of early ballots received, the administrative burdens imposed by verifying each one, or for any other reason, election officials and their staffs cannot violate their statutory duty to match *every* signature.

Early voting is widely used in Arizona: 79% of Arizona voters cast early ballots in 2018 and that number reportedly increased to 89% for the 2020 General Election. With over 3.4 million ballots cast in the General Election, Arizona elections officials were required to match



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signatures on over 3 million early ballot affidavits during a five to six-week period in 2020. This large number of early ballots combined with the administrative burden of confirming every one of the signatures submitted in a very short period of time, when not administered diligently, could result in election officials accepting early ballot affidavits that should not otherwise be approved without further verification.

Statistics for Maricopa County, for example, over the last three election cycles reflect that the number of early ballots rejected because of missing and mismatched signatures is trending down. During the 2016 General Election, when Helen Purcell was county recorder, Maricopa County received 1,249,932 mail-in ballots. Of that amount, Maricopa County rejected 2,209 early ballots because of missing signatures and 1,451 early ballots because of mismatched signatures.

Just two years later, during the 2018 General Election, after Adrian Fontes became county recorder, Maricopa County received 1,184,791 early ballots, just 65,141 less than in 2016. Yet the number of early ballots rejected in 2018 because of missing signatures (only 1,856) and mismatched signatures (only 307) declined significantly—the number of missing signature ballots decreased by 353 and the mismatched signature ballots decreased by 1,144 (a 79% decrease). By comparison, Pima County received 302,770 early ballots (882,081 less than Maricopa) and rejected 488 (135 more than Maricopa) because of mismatched signatures.

During the 2020 General Election, Maricopa County saw a significant increase in the number of early ballots, receiving 1,908,067 early ballots (an increase of 723,276 early ballots). Yet the number of early ballots rejected because of missing signatures continued its dramatic decrease (to only 1,455 ballots) and the number of early ballots rejected because of mismatched signatures increased only slightly (to 587 ballots).<sup>3</sup> To be sure, Maricopa County has explained that the number of early ballots rejected for mismatched signatures during the 2020 General Election was impacted by the Legislature's creation of a 5-day post-election cure period for mismatched signatures. But the existence of that cure period in 2020 does not explain the dramatic decrease—on an absolute or percentage basis—of ballots with missing signatures from 2016 to 2020<sup>4</sup> or the dramatic decrease in early ballots with mismatched signatures from 2016 to 2018. One possible explanation for these trends, and the AG acknowledges there could be others, is that Maricopa County became less diligent with signature review beginning in 2018.

Certain data stemming from litigation following the 2020 General Election is also instructive. In November 2020, certain individuals filed an election challenge under A.R.S. § 16-672. In connection with that challenge, the trial court ordered that the parties' counsel and retained forensic experts could review 100 randomly selected early ballot affidavits and conduct a signature comparison of ballot affidavits where a signature match had occurred. *Ward v. Jackson*, CV2020-015285, 2020 WL 13032880, \*3 (Maricopa Cnty. Super. Ct. Dec. 4, 2020). Two forensic document examiners testified during an evidentiary hearing, one for the plaintiffs

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<sup>3</sup> Pima County by contrast rejected nearly the same number of early ballots based on mismatched signatures (572) despite receiving 1,479,386 fewer ballots.

<sup>4</sup> Early ballots with missing signatures were required to be cured prior to close of polls on election day.



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and one for the defendants. The plaintiffs' expert testified that of the 100 ballots reviewed, 6 signatures were "inconclusive," meaning she could not testify that the signature on the envelope/affidavit matched the signature on file." *Id.* at \*4. The forensic expert for Defendants, who sought to defeat the election challenge, "testified that 11 of the 100 envelopes were inconclusive, mostly because there were insufficient specimens to which to compare them."<sup>5</sup> *Id.* Neither of the forensic experts found any sign of forgery. *Id.*

Although the trial court rejected the election challenge and the Arizona Supreme Court affirmed,<sup>6</sup> that does not render the forensic experts' findings irrelevant for purposes of analyzing whether current election procedures can be improved. And the fact that two forensic experts could differ so widely on whether particular signatures matches were inconclusive (one thought 6 signatures were inconclusive, the other 11) and that defendants' own expert concluded, less than one month after the General Election, that 11% of signatures sampled were inconclusive, suggests that improvement is needed.

The stresses on the mail-in voting system are largely driven by the combined population growth and increased usage of early voting. With over 80 percent of the Maricopa County electors choosing to vote early, there can be insufficient time for the county recorder to process and verify the large volume of early ballot affidavit signatures. Moreover, there is no uniform procedure in place to assure that the ballot affidavit signatures are being processed correctly and uniformly, not only in Maricopa County but throughout the State. The Arizona Secretary of State has offered non-enforceable "guidance" to the county recorders regarding signature verification but has never promulgated uniform procedures as required by A.R.S. § 16-452. Importantly, the Secretary's "guidance," is insufficient and could create more issues than it purports to resolve. See Brief of Amicus Curiae Attorney General Mark Brnovich, Section II(C), *Arizona Republican Party v. Hobbs*, No. CV-22-0048-SA (Ariz.).

Our review determined that early ballot affidavit signature verification is often performed in an expedited manner by individuals with limited training in signature analysis. Because of the volume of early ballots that arrive close to or on election day and the limited time allowed by law to verify signatures, the process can be rushed, which weakens the integrity of the verification. Although we may have more to say about this process, we are concerned that the expedited manner in which thousands of early ballot affidavit signatures are processed inevitably leads to a diminished review. At times the election worker conducting the verification process has only seconds to review a signature. For example, on November 4, 2020, the Maricopa County Recorder verified 206,648 early ballot affidavit signatures, which resulted in an average of 4.6 seconds per signature.

**Conclusion:** We have reached three primary conclusions on this critical issue. First, the early ballot affidavit signature verification system in Arizona, and particularly when applied to Maricopa County, may be insufficient to guard against abuse. We therefore recommend that the

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<sup>5</sup> There was no indication in the trial court's ruling rejecting the election challenge whether there was overlap between the 6 affidavits that Plaintiffs' expert found inconclusive and the 11 affidavits that Defendants' expert found inconclusive.

<sup>6</sup> *Ward v. Jackson*, 2020 WL 8617817, \*3 (Ariz. Dec. 8, 2020).



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law be amended to provide additional security for early ballots, including a requirement that voters who choose to vote by early ballot provide some additional form of government identification. We note that a referendum sponsored by Senator J.D. Mesnard will ask voters at the November 8, 2022 general election to put in place such requirements. *See* SCR 1012, available at <https://apps.azleg.gov/BillStatus/BillOverview/76391>.

Second, the verification standard set forth in statute is insufficient to control the discretion of local officials and must be addressed by Legislation. A.R.S. § 16-550(A) provides that “the county recorder or other officer in charge of election shall compare the signatures [on the early ballot envelopes] with the signature on the elector’s registration records.” This requirement to “compare” should be expanded and clarified to provide what steps election officials must take, including the minimum amount of time that should be spent reviewing each signature and an objection and appeal process. Given how important this check is, there must be more specific requirements contained in statute.

Finally, we conclude that because signature verification is the most important current check on early ballots, there must be opportunities for parties’ election observers to meaningfully observe the signature verification process in real time and to raise objections if officials are not doing their jobs to actually and accurately verify signatures. The Legislature should act to ensure transparency on this check.

### **III. Early Ballot Drop Boxes**

The EIU received a complaint alleging that the Maricopa County Elections Department violated the procedures that govern how early ballots are transferred from drop-off and drop-box ballot locations to the Maricopa County Tabulation and Election Center (MCTEC). These are early ballots that voters drop off at designated locations, including polling locations on election day. The report specifically alleged that the County failed to maintain chain of custody and properly document the retrieval, transportation, and count of the ballots.

The procedures for transporting these ballots to MCTEC during the 2020 general election were governed by the 2019 EPM, which was adopted pursuant to A.R.S. § 16-452. Section 1.7 of the 2019 EPM required at least two individuals with different political party affiliations to retrieve the early ballots. The individuals retrieving the early ballots were then required to document the location, date and time of arrival, time of departure, number of ballots, and follow a strict protocol when securing the container of ballots. These procedures designed to preclude ballot tampering are critical given the volume of early ballots that were dropped at these locations during the 2020 general election. Maricopa County reported that 901,976 ballots were collected from drop box locations. Most of those ballots (729,858) were collected during the early voting period from October 7, 2020 to November 2, 2020. The remaining 172,118 ballots were returned from drop boxes at polling locations.

Our review uncovered multiple violations of ballot transportation procedures. Specifically, our investigation confirmed that out of 1,895 Early Voting Ballot Transportation Statements, 381 forms or 20% were missing required information. This included missing audit signatures, missing ballot count fields, missing Election Department receiver signatures, missing



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courier signatures and missing documentation of security seals and lack of the two required seal numbers. In other words, it is possible that somewhere between 100,000 and 200,000 ballots were transported without a proper chain of custody.

**Conclusion:** Maricopa County failed to follow the EPM procedures when transporting 20% of the early ballots from drop box locations to MCTEC. And because the Secretary of State did not present the Attorney General a lawful EPM for approval in 2021, as required by A.R.S. § 16-452, there is currently *no* EPM in place governing the 2022 elections, exacerbating the issue for the upcoming election.

The Arizona Legislature should codify ballot custody and transportation procedures for early ballots using guidelines published by the U.S. Election Assistance Commission. *See* U.S. E.A.C, *Chain of Custody Best Practices* (July 13, 2021) (available at <https://www.eac.gov/election-officials/chain-custody-best-practices>). It is also recommended that the legislature enact laws that increase transparency in early ballot chain of custody, including the ability of observers from the political parties to monitor this process. Finally, because of the security issues associated with voted early ballots sitting in bins and containers in remote locations, the Legislature should enact laws that either prohibit drop box locations altogether or limit them to early ballot voting centers, polling day locations, or other secure locations staffed and closely monitored by election officials. House Bill 2238, sponsored by Representative Jake Hoffman, would accomplish this recommendation by prohibiting the use of an unmonitored drop box for receipt of voted ballots. *See* <https://apps.azleg.gov/BillStatus/BillOverview/76693?SessionId=125>.

#### IV. Use Of Private Grant Monies

To secure the purity of our elections, our laws prevent election officials and others from influencing the manner in which electors choose to exercise their right to vote. During the 2020 elections almost \$8 million dollars of private, nongovernmental grant monies were used by Arizona Secretary of State Katie Hobbs, Maricopa County, and Pima County for various election purposes as outlined in a report prepared by the Arizona Auditor General dated March 30, 2022. Available at <https://www.azauditor.gov/reports-publications/counties-state-agencies/secretary-state-office/report/arizona-secretary-state>. We are carefully reviewing this report to determine if any election laws were violated through the use of these funds. Although our review is ongoing, our initial findings raise serious concerns regarding the legality of certain expenditures.

As noted by the Auditor General, in the time since Secretary Hobbs, Maricopa County, and Pima County received and used these private, nongovernmental grant monies, Laws 2021, Ch. 199, §1 (adding A.R.S. § 16-407.01), was enacted, which prohibits the State and a city, town, county, school district, or other public body that conducts or administers elections from receiving or expending private monies for preparing for, administering, or conducting an election, including registering voters. Specifically, effective September 29, 2021, the State and its counties (and other political subdivisions) are statutorily prohibited from receiving the aforementioned grant monies or similar monies. As a result of this new law, the election officials may not use private grants or donations to perform their election duties or engage in any type of publicity campaign during the 2022 elections.



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### V. Future Auditing Of Elections

In addition, the Legislature should enact legislation that expands the powers of the Auditor General to conduct future audits of election systems. The Auditor General is well positioned to perform this function and should be given the resources to handle such audits in house in a professional and prompt manner. The Auditor General should be given authority to request Attorney General assistance in obtaining documents and equipment in the possession and custody of state and local officials. Periodic audits performed by the Auditor General, with reports to the Legislature, will ensure that state and local officials are complying with the law, identify shortcomings, and foster confidence in our state's election systems.

### VI. Increase The Penalties For Election Crimes And Protections For Whistleblowers

The Legislature should also consider increasing the penalties for election-related crimes and adding protections for whistleblowers. Due to the difficulty in detecting ballot harvesting, the Legislature should review whether it should increase the classification of the felony for that crime. The Legislature should also consider adding a crime where members of an organization, including a non-profit or non-governmental organization, that knew *or should have known* members (whether employees or volunteers) in their organization are engaged in widespread ballot harvesting are subject to criminal liability.

The Legislature should also enact specific criminal penalties for anyone who tampers with or damages a ballot-drop box in a way that could damage any ballots contained in such drop box. Finally, the Legislature should consider strengthening criminal penalties for failure to comply with a legislative subpoena or request by the Auditor General or Attorney General, and the Legislature should strengthen protections for whistleblowers who are aware of any potential wrongdoing. Such protections should be made retroactive, and permit whistleblowers to come forward with evidence related to past elections as well.

### VII. The Attorney General's Office Is Vigorously Defending Arizona's Election Integrity Laws And Protecting The Legislature's Powers

We all share a strong commitment to election integrity, and by any objective measure the Office is fully engaged in successfully defending Arizona's election integrity laws. The U.S. Supreme Court recently observed in *Brnovich v. DNC*, 141 S. Ct. 2321 (2021), that the state has a compelling interest in preserving the integrity of its election process and preventing voter fraud. "Fraud can affect the outcome of a close election, and fraudulent votes dilute the right of citizens to cast ballots that carry appropriate weight. Fraud can also undermine public confidence in the fairness of elections and the perceived legitimacy of the announced outcome." *Id.* at 2340. It is imperative that our election system guard against fraud, abuse, mistake, and oversight. And the Arizona Legislature must therefore be able to enact laws that "secure the purity of elections and guard against abuses of the elective franchise." Ariz. Const. art. 7, § 12.

Defending the integrity of our elections is one of my top priorities as Attorney General. We repeatedly and successfully defended Arizona's election integrity laws from an onslaught of



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attacks in 2020, which include important victories in the following cases.

- *Brnovich v. DNC*, 141 S. Ct. 2321 (2021) (upholding Arizona's ballot harvesting and out-of-precinct voting laws against challenge under § 2 of the Voting Rights Act).
- *Miracle v. Hobbs*, 808 F. App'x 470 (9th Cir. 2020) (upholding Arizona's law requiring petition circulators to show up to court if subpoenaed).
- *Ariz. Democratic Party v. Hobbs*, 976 F.3d 1081 (9th Cir. 2020) (upholding law requiring ballots to be signed by 7 p.m. on election day).
- *Mi Familia Vota v. Hobbs*, 977 F.3d 948, 950 (9th Cir. 2020) (reversing erroneous lower court decision extending voter registration deadline).
- *Arizonans for Fair Elections v. Hobbs*, 454 F. Supp. 3d 910, 915 (D. Ariz. 2020), *appeal dismissed*, No. 20-15719, 2020 WL 4073195 (9th Cir. May 19, 2020) (upholding prohibition on electronic signature gathering for initiatives).
- *Arizonans for Second Chances v. Hobbs*, 249 Ariz. 396 (2020) (also upholding prohibition on electronic signature gathering for initiatives).

Most significant among these is *Brnovich v. DNC*, which was the most important election integrity case decided by the U.S. Supreme Court in years. The case bears my name because I stood up before the U.S. Supreme Court and defended Arizona's common-sense laws protecting against ballot harvesting and out-of-precinct voting. The Supreme Court ultimately ruled in our favor by a 6-3 majority, decisively rejecting the Ninth Circuit's erroneous decision that would have hamstrung Arizona's legitimate election integrity efforts and saddled the state with millions of dollars in attorneys' fees. You don't have to take my word for it. Prominent liberal law professor Erwin Chemerinsky lamented it as "**the most important decision of 2021.**"<sup>7</sup> He said, "*Brnovich* will make it much more difficult to challenge [common-sense election integrity measures enacted by states,] and these laws could play a decisive role in the 2022 and 2024 elections." *Id.* But for my office's involvement there would be no *Brnovich v. DNC* decision, period.

The Office is also actively protecting election integrity for the upcoming 2022 elections and beyond. This includes defending against multiple lawsuits that have already been filed. In August, *Mi Familia Vota* filed a lawsuit challenging SB 1003 and SB 1485 from the 2021 legislative session. Case No. 2:21-cv-01423 (D. Ariz.). These laws relate to early voting signature requirements and the active early voting list. The Office vigorously defended this case, and the Plaintiffs conceded that they would not seek any injunctive relief for the 2022 elections.

Just last week, two lawsuits were filed challenging HB 2492 from the 2022 legislative session, which relates to proof of citizenship when registering to vote. *See Mi Familia Vota v. Hobbs*, No. 2:22-cv-00509 (D. Ariz.); *Living United for Change in AZ v. Hobbs*, No. 2:22-cv-00519-SRB (D. Ariz.). The Office is actively defending these cases in advance of the 2022 elections. Finally, the Office is participating in *Arizona Republican Party v. Hobbs*, No. CV-22-

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<sup>7</sup> Available at <https://www.abajournal.com/columns/article/chemerinsky-most-significant-supreme-court-cases-of-2021>



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0048, at the Arizona Supreme Court, and asking the court to ensure that there is an Elections Procedures Manual (EPM) in place for the 2022 elections. Having a lawful EPM in place for the 2022 elections is a major election integrity priority for the Office.

It is also important to note that the Office has supported the separation of powers and the Legislature's authority to subpoena election records so that it can have data and information to make informed decisions on potential legislation. In the dispute between Maricopa County and the Senate regarding the Senate's subpoenas, the court ultimately agreed with the Office and the Senate in *Maricopa County et al. v. Fann, et al.*, CV2020-016840, Minute Entry at 15 (Maricopa Cnty. Super. Ct. 3/1/2021).<sup>8</sup> Later, the Senate issued another subpoena to Maricopa County, which again refused to comply. The Office determined that this refusal was in violation of state law, and Maricopa County subsequently complied.<sup>9</sup>

Arizona is successfully defending its election integrity laws in active litigation. Arizona could have been like other states and had its laws judicially rewritten on the eve of an election.<sup>10</sup> Arizona could have been like the Ninth Circuit majority held (but for *Brnovich*) and been hamstrung in all of its future efforts to secure its elections. But, fortunately, Arizona has the authority to enforce its existing laws and the freedom for its elected legislators to modify those laws as circumstances change and experience shows that additional or different election integrity measures are needed. In sum, Arizona can ensure that it is easy to vote and hard to cheat.

### VIII. Conclusion

With each passing election, Americans on all sides of the political spectrum have less confidence in the integrity of our elections. This is a crisis that should be addressed immediately with bipartisan solutions grounded in the rule of law.

Public confidence in the fairness of elections is paramount. As elected officials, we can, and must, do better for our constituents. Whether we agree with peoples' reasons for questioning election integrity or not, we should go above and beyond our call of duty to assure Americans that each legal vote was counted, and no illegal votes were allowed.

This dilemma is not relegated to Republicans and the 2020 election. Democrats spent years in uproar over the 2000 election after George W. Bush defeated Al Gore. And they viciously questioned President Trump's election in 2016. Congressional Democrats also challenged the Electoral College count several times over the past two decades when their candidate lost the race. It is dishonest to pretend that the 2020 election concerns are unprecedented. Both sides have had their share of issues with elections processes and

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<sup>8</sup> Available at [https://www.azag.gov/sites/default/files/docs/press-releases/records/3\\_1%20minutes%20entry.pdf](https://www.azag.gov/sites/default/files/docs/press-releases/records/3_1%20minutes%20entry.pdf)

<sup>9</sup> See [https://www.azag.gov/sites/default/files/docs/complaints/sb1487/21-002/MCBOS\\_1487\\_Report-8-26.pdf](https://www.azag.gov/sites/default/files/docs/complaints/sb1487/21-002/MCBOS_1487_Report-8-26.pdf).

<sup>10</sup> See, e.g., *Pennsylvania Democratic Party v. Boockvar*, 238 A.3d 345, 354 (Pa. 2020), *cert. denied sub nom. Republican Party of Pennsylvania v. Degraffenreid*, 141 S. Ct. 732 (2021).



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procedures, and it is time for Americans' elected representatives to put aside political differences and do what is necessary to reassure their constituents that every legal vote counts.

That's why our office has taken election integrity so seriously—both before and after the 2020 election. Arizonans were extremely frustrated and angry that they were not receiving answers to questions that had been raised about the 2020 election. Our office has left no stone unturned in the aftermath of the 2020 election. We supported the Arizona State Senate's right to conduct the audit of Maricopa County's election, and we have followed up with several investigations into the 2020 election.

As has been stated previously, the 2020 election in Maricopa County left significant holes to be answered and addressed. All branches of government in this state must come together to provide full assurance of the integrity of our elections and answer every outstanding question from the 2020 election. That's what our Office is committed to doing. We hope that this interim report and cooperation with the legislative branch will continue to reassure Arizonans that election integrity is of primary concern in our state.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark Brnovich", with a long, sweeping horizontal line extending to the right.

Mark Brnovich  
Attorney General



## Exhibit B

### Maricopa County Timeline of Requests and Responses

12/1/2020	12/2/2020	Voter information request	SA Geisler/response in multiple emails
12/3/2020	12/10/2021	Voter information request	SA Hirsch/
12/17/2020	12/18/2020	Voter information request	SA Geisler/
12/17/2020	12/18/2020	Voter information request	SA Geisler/
12/17/2020	12/18/2020	Voter information request	SA Geisler/several emails and phone calls
1/14/2021	phone	Voter information request	SA Geisler/voicemail from SA Geisler
1/21/2021	1/26/2021	Voter information request	SA Geisler/several emails and phone calls
1/21/2021	1/26/2021	Voter information request	SA Geisler/several emails and phone calls
1/26/2021	1/26/2021	Voter information request	SA Knuth/
2/1/2021	2/1/2021	Voter information request	SA Knuth/
2/3/2021	12/8/2020	Voter information request	SA Hillman/Cope/several emails and phone calls. The request original came through our Custodian of public records on 12/3/2020
2/17/2021	2/19/2021	Voter information request	SA Knuth/
3/10/2021	3/10/2021	Voter information request	SA Geisler/
3/29/2021	4/8/2021	Voter information request	SA Knuth/
4/19/2021	4/22/2021	Voter information request	SA Geisler/
4/19/2021	4/22/2021	Voter information request	SA Geisler/
4/27/2021	5/18/2021	Voter information request	SA Knuth/
5/18/2021	5/18/2021	Voter information request	SA Hirsch/VIDs 4877251 and 4877251
6/2/2021	6/2/2021	Voter information request	SA Knuth/
6/4/2021	6/9/2021	Interview	request to interview former county employee; interview cancelled by AG Hillman on 6/9
6/6/2021	6/6/2021	Meeting	Elections Department meeting with Knuth
6/16/2021	6/16/2021	Meeting	Elections Department meeting with AG's office.
6/16/2021	6/16/2021	Voter information request	SA Knuth/
6/25/2021	6/25/2021	Voter information request	SA Knuth/requested when meeting in person w/AGO
6/25/2021	6/25/2021	Voter information request	SA Knuth/
6/30/2021	6/30/2021	Voter information request	SA Geisler/not found
6/30/2021	6/30/2021	Voter information request	SA Geisler/not found
6/30/2021	6/30/2021	Voter information request	SA Geisler/not found
6/30/2021	6/30/2021	Voter information request	SA Geisler/cancelled
6/30/2021	6/30/2021	Voter information request	SA Geisler/not found
6/30/2021	6/30/2021	Voter information request	SA Geisler/deactivated voter



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### Maricopa County Timeline of Requests and Responses

6/30/2021	6/30/2021	Voter information request	SA Geisler/not found
6/30/2021	6/30/2021	Voter information request	SA Geisler/not found
6/30/2021	6/30/2021	Voter information request	SA Geisler/cancelled
6/30/2021	6/30/2021	Voter information request	SA Geisler/not found
6/30/2021	6/30/2021	Voter information request	SA Geisler/active
6/30/2021	6/30/2021	Voter information request	SA Geisler/no found
6/30/2021	6/30/2021	Voter information request	SA Geisler/cancelled
6/30/2021	6/30/2021	Voter information request	SA Geisler/cancelled
6/30/2021	6/30/2021	Voter information request	SA Geisler/not found
6/30/2021	6/30/2021	Voter information request	SA Geisler/not found
7/7/2021	7/7/2021	Voter information request	SA Knuth/
7/12/2021	7/12/2021	Voter information request	SA Geisler/
7/12/2021	7/12/2021	Voter information request	SA Geisler/active voter
7/13/2021	7/15/2021	Voter information request	SA Geisler/voter deceased 10/20/2020, GE
7/13/2021	7/15/2021	Voter information request	SA Geisler/active voter
7/16/2021	7/19/2021	Voter information request	SA Geisler/new voter, no voting history
7/20/2021	7/20/2021	Voter information request	SA Geisler/NA
7/21/2021	7/21/2021	Telephone call	C. Nabor call with Knuth
7/21/2021	7/21/2021	Voter information request	SA Geisler/documentation provided
7/22/2021	7/19/2021	Voter information request	SA Geisler/information previously provided
7/22/2021	7/26/2021	Voter information request	SA Geisler/packet provided
7/22/2021	7/26/2021	Voter information request	SA Geisler/packet provided
7/22/2021	7/26/2021	Voter information request	SA Geisler/packet provided
7/22/2021	7/26/2021	Voter information request	SA Geisler/packet provided
7/22/2021	7/26/2021	Voter information request	SA Geisler/packet provided, cancellation on file
7/26/2021	7/26/2021	Voter information request	SA Knuth/packet provided
8/16/2021	8/17/2021	Voter information request	SA Knuth/packet provided
8/26/2021	8/26/2021	Telephone call	C. Nabor call with Knuth
9/27/2021	9/28/2021	Preserve	Litigation hold letter
9/29/2021	9/29/2021	Interview	Interview of Recorder Richer by Geisler and Knuth
9/30/2021	10/4/2021	General information request	request for general election backup from EMS server – file list txt and Word Doc provided
9/30/2021	10/4/2021	Voter information request	SA Geisler/



## Exhibit B

### Maricopa County Timeline of Requests and Responses

9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
9/30/2021	9/30/2020	Voter information request	SA Geisler/
9/30/2021	10/4/2021	Voter information request	SA Geisler/
10/4/2021	10/4/2021	Voter information request	SA Geisler/
10/5/2021	10/5/2021	Voter information request	SA Knuth/
10/5/2021	10/5/2021	Voter information request	SA Knuth/
10/5/2021	10/5/2021	Voter information request	SA Knuth/
10/5/2021	10/5/2021	Voter information request	SA Knuth/
10/6/2021	10/6/2021	Voter information request	SA Geisler/
10/7/2021	1/28/2022	General information request	Request for policies and procedures
10/8/2021	10/8/2021	General information request	ltr from Recorder to Geisler and Knuth with subp compliance log; answers to CN questions and USB of back up of images of all 2020 backup archives
10/12/2021	10/12/2021	Voter information request	SA Knuth/
10/12/2021		Voter information request	SA Knuth/
10/14/2021	1/5/2022	General information request	Request for response to CN report
10/14/2021	10/14/2021	Tour	meeting at MCTEC with Knuth, Geisler and their expert Dworkin; gave them a tour of BTCand answered all questions
10/14/2021	10/15/2021	General information request	Request for information on duplicate ballots
10/15/2021	10/15/2021	Tour	questions as follow up from 10/14 tour
10/15/2021	10/25/2021	Voter information request	SA Geisler /The two voters are registered at the same address, have comparable signatures on the affidavits and included the same phone number (480 747-3514) on the 2020 GE affidavit envelope.provided to Ed Novak and Joe LaRue (not AGO)
10/15/2021	10/25/2021	Voter information request	SA Geisler /



## Exhibit B

### Maricopa County Timeline of Requests and Responses

10/15/2021		Voter information request	SA Geisler /Per Joe LaRue 10/25/2021 CN did not transmit any files related to request
10/15/2021		Voter information request	SA Geisler /Per Joe LaRue 10/25/2021 CN did not transmit any files related to request
10/15/2021		Voter information request	SA Geisler /Per Joe LaRue 10/25/2021 CN did not transmit any files related to request
10/15/2021		Voter information request	SA Geisler /Per Joe LaRue 10/25/2021 CN did not transmit any files related to request
10/26/2021	10/26/2021	General information request	request from Geisler - provided a folder of documents including the VM51 voter file
10/28/2021	10/28/2021	Interview	request for meeting from Agent Grigsby and Atty Gadow with EFN and county rep; meeting with EFN occurred, same day
11/1/2021	11/1/2021	General information request	request for list of documents and equipment provided to the Senate – done
11/1/2021	11/1/2021	Voter information request	request for voting record of Juan Scarpati by Geisler provided
11/1/2021	11/1/2021	Voter information request	request by Geisler for info on certain voter; info provided
11/2/2021	11/2/2021	General information request	request for signature verification training book provided to Geisler
11/3/2021	11/11/2021	Voter information request	request by Geisler for voter info; provided on 11/11
11/4/2021	11/4/2021	Interview	Interview of Bill Gates
11/4/2021	11/4/2021	Interview	Interview of Brian Ramirez
11/4/2021	11/4/2021	Interview	Interview of Nate Young
11/4/2021	11/4/2021	Interview	Interview of Brian Ramirez
11/4/2021	11/11/2021	Voter information request	voter info requested by Geisler; provided on 11/11
11/4/2021	11/4/2021	Interview	Interview of Rey Valenzuela
11/4/2021	11/11/2021	Voter information request	SA Geisler/VID 35306328 provided to Ed Novak (not AGO)
11/4/2021	11/11/2021	Voter information request	SA Geisler/VID 35305243, provided to Ed Novak (not AGO)
11/5/2021	11/5/2021	Follow up	Follow up questions for Rey Valenzuela
11/9/2021	11/9/2021	Follow up	followup questions for Rey Valenzuela by Geisler answered
11/9/2021	11/21/2021	Follow up	Answers to follow up questions from Gates interview
11/9/2021	11/11/2021	Voter information request	SA Knuth/two voter IDs including 5355583 and 2079390, provided to Ed Novak (not AGO)
11/15/2021	11/16/2021	General information request	request by Geisler for manifest of items released to the senate
11/16/2021	11/16/2021	Interview	Interview of Nate Young
11/17/2021	11/18/2021	Voter information request	voter info requested by Knuth; provided on 11/18
11/17/2021	11/18/2021	Voter information request	voter info requested by Geisler; provided on 11/18/21
11/17/2021	11/18/2021	Voter information request	SA Knuth/provided to Ed Novak (not AGO)
11/18/2021	11/18/2021	Voter information request	info on voter requested by Geisler; provided on 11/18/21
11/18/2021	11/18/2021	Voter information request	SA Knuth /provided to Ed Novak (not AGO)
11/22/2021	12/9/2021	Follow up	follow up questions for Nate Young; provided on 12/9 with context
11/22/2021	12/1/2021	Voter information request	info on voter requested by Knuth
11/24/2021	12/2/2021	Voter information request	request from Geisler for all ballots in same batch as particular voter; after much research info provided on 12/2
12/1/2021	12/1/2021	Voter information request	request from Knuth for voter info; provided 12/1
12/2/2021	12/7/2021	Voter information request	info requested by Knuth on voter; provided on 12/7



## Exhibit B

### Maricopa County Timeline of Requests and Responses

12/3/2021	NA	Voter information request	SA Hirsch/AGO no longer requesting records following phone call
12/6/2021	12/7/2021	Voter information request	SA Knuth/provided to Ed Novak (not AGO)
12/7/2021	12/8/2021	Voter information request	request from Knuth on voter info; provided on 12/8
12/8/2021	12/9/2021	Voter information request	request from Knuth for voter info; provided on 12/9
12/13/2021	12/13/2021	Voter information request	info requested from Geisler on voters; provided on 12/13 with context for better understanding
12/13/2021	12/13/2021	Voter information request	SA Knuth/provided to Ed Novak (not AGO)
12/13/2021	12/13/2021	Voter information request	SA Knuth/provided to Ed Novak (not AGO)
12/13/2021	12/13/2021	Voter information request	SA Knuth/provided to Ed Novak (not AGO)
12/14/2021	12/15/2021	Documents	info requested from Geisler on voter; provided on 12/15
12/14/2021	12/14/2021	Voter information request	SA Geisler/provided to Ed Novak (not AGO)
12/15/2021	12/16/2021	Voter information request	info requested on voter; info provided on 12/16
12/15/2021	12/15/2021	Voter information request	SA Geisler/provided to Ed Novak (not AGO)
12/20/2021	12/20/2021	Documents	call from Knuth seeking info on voter; info provided same day
12/22/2021	12/22/2021	Interview	Interview of Gary Bilotta; attended by Dan Miller, Jim Cope and John Hillman of AGO
12/27/2021	12/28/2021	Voter information request	Geisler questions on voter registration records, response on 12/28
12/27/2021	12/28/2021	General information request	info on mail in ballots not returned by Geisler; response on 12/28
1/4/2022	1/4/2022	General information request	13 record requests for individual voters submitted from AGO to Ed Novak. Documents gathered by Early Voting. The first request was 1.4.2022.
1/12/2022	1/13/2021	Voter information request	info on 3 voters requested by Geisler; provided on 1/13
1/13/2022	1/13/2022	voter information request	request for info on how county learns about deceased voters; provided ont 1/13
1/18/2022	1/19/2022	general information request	Geisler questions about CISA best practices; response on 1/19/22
1/19/2022	1/20/2022	Voter information request	info requested on voter by Geisler; provided on 1/20 and further on 1/21
1/31/2022	2/9/2022	Follow up	questions from Geisler and request for training materials and questions on sig verification. Response on 2/9
2/1/2022	2/15/2022	General information request	Multiple questions with subparts from SA Knuth re drop boxes
2/9/2022	2/9/2022	General information request	Request for information from Scott Jarett
2/14/2022	2/14/2022	Follow up	Multiple questions with subparts from Daniel Miller on 2/14/22
2/14/2022	2/14/2022	Follow up	Multiple questions from Bill Knuth on 2/14/22
2/18/2022	2/18/2022	Follow up	Multiple questions from Daniel Miller 2/18/22
2/24/2022	2/24/2022	General information request	Multiple questions from SA Knuth and Geisler re drop boxes
2/25/2022	2/26/2022	follow up	Clarification of issues re drop boxes
2/28/2022	2/28/2022	Voter information request	request for voter records requested by Knuth; provided on 2/28
2/28/2022	3/2/2022	follow up	Multiple questions from SA Knuth re drop boxes and couriers
2/28/2022	3/16/2022	follow up	Multiple questions from SA Knuth re drop boxes and couriers
3/7/2022	3/7/2022	Interview	Interview of Celia Nabor
3/9/2022	3/23/2022	General information request	Requests for various items
3/9/2022	3/31/2022	General information request	Requests for various items



## Exhibit B

### Maricopa County Timeline of Requests and Responses

3/9/2022	4/4/2022	General information request	Requests for various items
3/23/2022	3/23/2022	Follow up	response to Daniel Miller questions
3/24/2022	3/24/2022	General information request	Provide documents to Daniel Miller, MCBOS_000001- MCBOS_004434
3/24/2022	3/24/2022	General information request	51 records produced in response to the as part of the subpoena (provided to you by Scott on 3.24.2022)
4/4/2022	4/4/2022	Voter information request	voter info requested by Knuth; provided on 4/4
4/4/2022	4/4/2022	General information request	Production of signature verification documents to AGO Jennifer Wright (MCBOS_004435 - MCBOS_005870)
4/11/2022	4/13/2022	Voter information request	Request from Knuth for voter records
4/14/2022	4/18/2022	Voter information request	Request from Knuth for voter registration record
4/28/2022	4/28/2022	General information request	investigator Knuth requested information on petition collectors for statewide office.
<b>County Initiated Possible Voter Fraud Matters</b>			
	11/2/2021	Voter information request	Emailed Jennifer Wright access to a secure link to refer 7 cases. 5 related to the CN audit. 2 related from EV/AG inquiry.
	1/4/2022	Voter information request	Emailed Jennifer Wright access to a secure link to refer 27 cases. 26 related to an internal audit. 1 from CN audit.
	3/24/2022	Voter information request	Emailed Jennifer Wright access to secure link to refer 16 cases. All related to ERIC reports.
	4/11/2022	Voter information request	Emailed Jennifer Wright access to secure link to refer 13 cases. All related to ERIC reports.





CityScape, One E. Washington St., Ste. 1200, Phoenix, AZ 85004 • (602) 650-2000

March 31, 2022

Edward F. Novak  
(602) 650-2020  
(602) 532-7128 Fax  
enovak@polsinelli.com

**VIA EMAIL ONLY**

Jennifer Wright  
Assistant Attorney General  
Arizona Attorney General's Office  
2005 N. Central Avenue  
Phoenix, AZ 85004

**Re: Third Response to March 9 letter**

Dear Ms. Wright:

This is a follow up to the responses provided to you on March 23 and 24, to your letter of March 9, 2022. The Recorder and the Elections Department have no additional policies or procedures related to signature verification that have not already been provided. Three documents which were produced previously are attached to the letter. The Recorder's office thought an explanation of how the Recorder utilizes the Verus Pro system as part of the signature verification process, would be beneficial to your understanding by supplementing the written materials provided.

There are no written procedures provided to or created for staff as it relates to batching into high or low confidence because Runbeck does the batching with Verus Pro. The low confidence batch are those envelopes with insufficient pixels or no signatures. Where there is a signature that is sufficient for the software to read and match to, it goes into the high confidence batch. Importantly, every envelope in both batches is reviewed by signature verification staff members. The staff level review is limited to designating a good signature or "exception" meaning it needs manager review. The staff members are trained to ignore the high and low confidence labeling and work these queues equally, with the same protocols established for all signature review, as noted in work documents already provided.

The exceptions go to managers who are high level staff with additional training. Restricted access is in place for the manager review function, so only the higher-level staff can perform this review. There are both manager and user job aid documents, which outline the process for the manager to follow.

The audit function is restricted to specific limited manager level staff. The audit queue is populated by a random 2% sampling of all records set with a disposition, regardless of the disposition designated. This audit function occurs prior to further sorting of the envelopes.





March 31, 2022

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This process has been explained to agents from your office but has not been provided to you specifically. If you need further explanation, please ask.

The Recorder and the Elections Department are continuing the search for Runbeck contract documents and emails. That search should be completed this week or early next week. With regard to the email search, we will advise on the volume and seek some guidance if the volume is too great for review purposes.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Novak", written over a horizontal line.

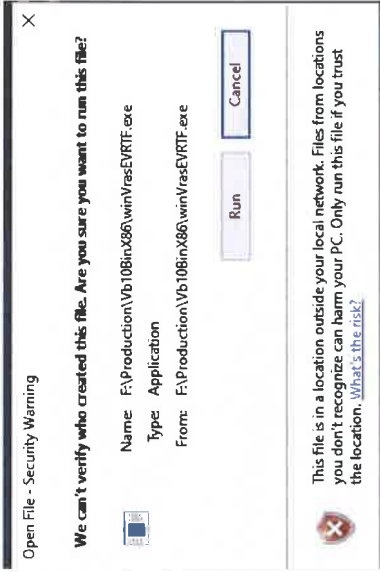


Edward F. Novak

EFN:dmc






# Maricopa County Elections Department-Early Voting Division Standard Work-Signature Verification in Early Voting Returns (EVRT) Module

Purpose: This document outlines the user level role working in the low and high confidence queues of the EVRT module.

Important Steps	Key Points	Notes:
Access the Early Voting Returns (VB10) (32) module. This system is referred to as the EVRT system.	<ul style="list-style-type: none"> <li>Open the ShortCutsVRAS folder on your desktop.</li> <li>Double click the EVRT shortcut.</li> <li>A box "We can't verify who created this file. Are you sure you want to open this file" appears. Select the 'Open' or 'Run' button</li> <li>The EVRT system will open and the screen will appear.</li> </ul>	 <p>EVRT-Early Ballot Returns Processing (.NET) Database: VRASPROD User ID: NABORC (32) Build: 2020.05.28.0626</p> <p>Functions 7/7/2020 10:38:07 AM</p> 
Select the 'AFF returns' button.	<ul style="list-style-type: none"> <li>A pop-up screen will appear allowing you to open a batch.</li> </ul>	 <p>EVRT-Early Ballot Returns Processing (.NET) Database: VRASPROD User ID: NABORC (32) Build: 2020.05.28.0626</p> <p>Functions 7/7/2020 10:38:07 AM</p>

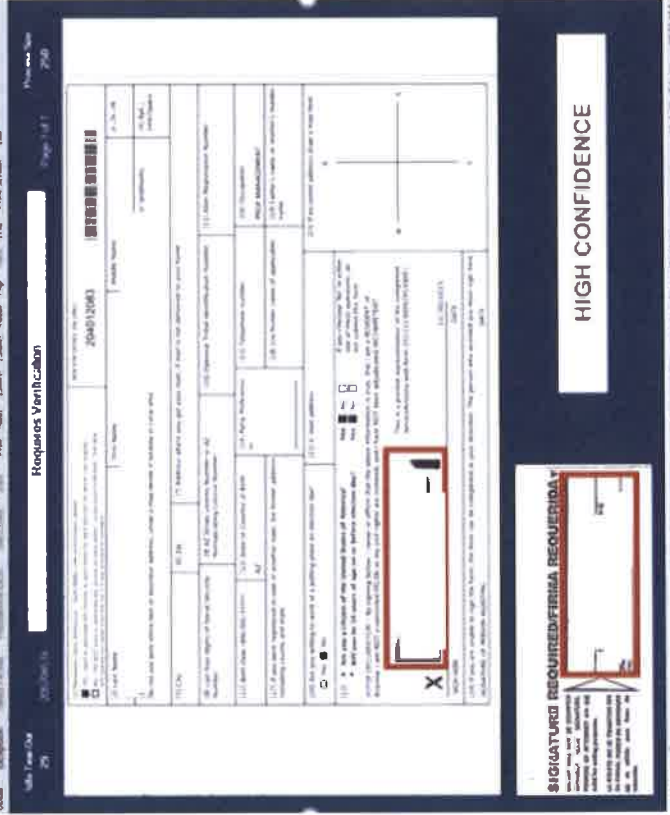



Important Steps	Key Points	Notes:
Open a signature verification batch.	<ul style="list-style-type: none"> <li>Select the 'New' folder (yellow folder icon).</li> <li>Selecting this button will assign a batch of signatures to the user for verification.</li> </ul>	 <p>EV26 - Early Voting Signature Verification   LAPUSER101106   15642A1.138</p>
Viewing the batch screens	<ul style="list-style-type: none"> <li>The batch screen contains two images.</li> <li>The larger image is an historical affidavit with a known approved signature.</li> <li>The smaller image is a clipping of the signature on the green affidavit envelope (current election).</li> </ul>	 <p>Process Returns</p> <p>Known approved affidavit signature</p> <p>image of signature on affidavit envelope</p>
Selecting the mode	<ul style="list-style-type: none"> <li>The mode includes four options: High confidence, Low Confidence, Manager and Audit.</li> <li>Select the file option at the top of the screen.</li> <li>Navigate to mode, hover the mouse over the mode.</li> <li>Select the mode as directed by the supervisor</li> </ul>	 <p>Process Returns</p> <p>File Edit Data Image Batch Reports Help</p> <p>High Confidence</p> <p>Low Confidence</p> <p>Manager</p> <p>Audit</p>





Important Steps	Key Points	Notes:
Verifying the voter	<ul style="list-style-type: none"> <li>Review four key points on the screen to ensure the historical affidavit and the ballot affidavit belong to the same person.</li> <li>Use the check mark method in the following order: <ul style="list-style-type: none"> <li>preprinted name on the affidavit envelope on the lower left part of the screen (current election), signature on the affidavit envelope (current signature), signature on the historical affidavit, and name on the historical affidavit.</li> </ul> </li> <li>If the four points do not match, click the exception button at the top.</li> <li>Be aware of family members in the same household signing the other family members affidavit envelope. This is an exception.</li> <li>Tip: Right click the mouse to magnify</li> </ul>	<p><b>Notes:</b></p>



<p>Comparing the signatures</p>	<ul style="list-style-type: none"> <li>Analyze the broad, local characteristics, and letterforms</li> <li>If the signature on the historical affidavit and the signature on the affidavit envelope (current election) match, click the good button.</li> <li>If the signatures can not be verified click the exception button.</li> <li>If the affidavit is not signed by the voter click the exception button.</li> <li>Refer to the signature verification job aid.</li> </ul> <p>NOTE: All signatures that cannot be verified will go through a second level review in the manager queue.</p>	
<p>Reviewing the batch before ending.</p>	<ul style="list-style-type: none"> <li>Use the <b>PREV</b> and <b>NEXT</b> buttons to review signature dispositions. You can change the disposition if necessary BEFORE you complete the batch.</li> <li>This review step is critical to ensure the correct disposition was selected.</li> </ul>	





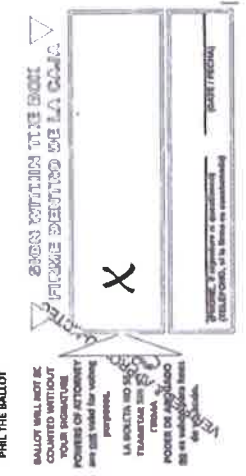
<p>Closing a batch before completing all signatures.</p>	<ul style="list-style-type: none"> <li>• If you cannot complete the full batch of all signatures, select the 'End' folder (Yellow Folder) the close batch. This is critical to ensure batches do not prevent a file from being completed. Another user can then complete the remaining images in the batch.</li> </ul>	 <p>EV26 - Early Voting Signature Verification   LAPUSER101106   156.42.41.138</p> <p>File Edit Data Image Batch Reports Help</p> <p>Good Exception Need Packet Household Exch. Decreased Bad Prev Next Zoom Zoom Reset Flip New End Print Screen Exit</p>
<p>End the batch after successfully dispositioning all signatures.</p>	<ul style="list-style-type: none"> <li>• Once the review process is complete, select the 'End' folder (Yellow Folder).</li> <li>• Select the 'New' folder (yellow folder icon) to begin working on another batch.</li> </ul>	 <p>EV26 - Early Voting Signature Verification   LAPUSER101106   156.42.41.138</p> <p>File Edit Data Image Batch Reports Help</p> <p>Good Exception Need Packet Household Exch. Decreased Bad Prev Next Zoom Zoom Reset Flip New End Print Screen Exit</p>



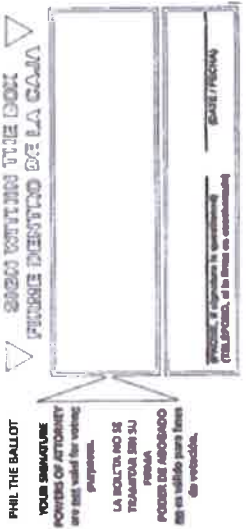




Signature Verification (User Level) Job Aid




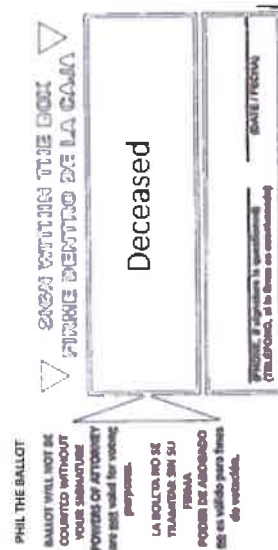


**Purpose:** The job aid is designed to provide guidance on examples staff may see on the affidavit envelope (electronic) when performing signature verification.

EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
Signature can be Verified when Compared to the Historical Record	<div>Good</div> <div>✓</div> <div>Good</div>	 <p>PHIL THE BALLOT BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purposes. LA BOLTA NO SE TRANSMITE SIN SU FIRMA PODERES DE ABOGADO NO es valido para votar en este momento.</p> <p>PHIL the Ballot</p> <p>PHIL THE BALLOT POWERS OF ATTORNEY are not valid for voting purposes. LA BOLTA NO SE TRANSMITE SIN SU FIRMA PODERES DE ABOGADO NO es valido para votar en este momento.</p>
"Verified and Approved MCTEC" Stamp	<div>Good</div> <div>✓</div> <div>Good</div>	 <p>PHIL THE BALLOT BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purposes. LA BOLTA NO SE TRANSMITE SIN SU FIRMA PODERES DE ABOGADO NO es valido para votar en este momento.</p> <p>Phil the Ballot</p> <p>PHIL THE BALLOT POWERS OF ATTORNEY are not valid for voting purposes. LA BOLTA NO SE TRANSMITE SIN SU FIRMA PODERES DE ABOGADO NO es valido para votar en este momento.</p>
Mark, such as an X (Not on Historical Record being Compared) with a "Verified and Approved MCTEC" Stamp	<div>Good</div> <div>✓</div> <div>Good</div>	 <p>PHIL THE BALLOT BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purposes. LA BOLTA NO SE TRANSMITE SIN SU FIRMA PODERES DE ABOGADO NO es valido para votar en este momento.</p> <p>X</p> <p>PHIL THE BALLOT POWERS OF ATTORNEY are not valid for voting purposes. LA BOLTA NO SE TRANSMITE SIN SU FIRMA PODERES DE ABOGADO NO es valido para votar en este momento.</p>



EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
No Signature	Exception	 <p>PHIL THE BALLOT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purpose. LA BOLTA NO SE TRANSMITE SIN SU FIRMA PODER DE ABOGADO no es valido para fines de votación.</p> <p>SAZON VOTING THE BOX FIRME DENTRO DE LA CAJA</p> <p>PHOTO: If signature is questionable (TELEPHONE, if in doubt or controversial) FOTOGRAFIA</p>
Signature Cannot be Verified with the Historical Record being Compared	Exception	 <p>PHIL THE BALLOT BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purpose. LA BOLTA NO SE TRANSMITE SIN SU FIRMA PODER DE ABOGADO no es valido para fines de votación.</p> <p>Phil the Ballot</p> <p>SAZON VOTING THE BOX FIRME DENTRO DE LA CAJA</p> <p>PHOTO: If signature is questionable (TELEPHONE, if in doubt or controversial) FOTOGRAFIA</p>
Part of the Signature Missing Not on Historical Record being Compared)	Exception	 <p>PHIL THE BALLOT BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purpose. LA BOLTA NO SE TRANSMITE SIN SU FIRMA PODER DE ABOGADO no es valido para fines de votación.</p> <p>Phil</p> <p>SAZON VOTING THE BOX FIRME DENTRO DE LA CAJA</p> <p>PHOTO: If signature is questionable (TELEPHONE, if in doubt or controversial) FOTOGRAFIA</p>



EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
Printed Name (Not on Historical Record being Compared)	Exception 	 <p>PHIL THE BALLOT</p> <p>BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSFERIR SIN SU FIRMA</p> <p>PODER DE ABOGADO no es válido para fines de votación.</p> <p>SIGNATURE BOX</p> <p>PHIL THE BALLOT</p> <p>DATE/TIME</p>
Deceased noted by Household Member	Exception 	 <p>PHIL THE BALLOT</p> <p>BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSFERIR SIN SU FIRMA</p> <p>PODER DE ABOGADO no es válido para fines de votación.</p> <p>SIGNATURE BOX</p> <p>Deceased</p> <p>DATE/TIME</p>
Wrong Name is Signed in the Signature Box	Exception 	 <p>PHIL THE BALLOT</p> <p>BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSFERIR SIN SU FIRMA</p> <p>PODER DE ABOGADO no es válido para fines de votación.</p> <p>SIGNATURE BOX</p> <p>Mark the Ballot</p> <p>DATE/TIME</p>





EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
Moved noted on Packet	Exception 	<p>PHIL THE BALLOT YOUR SIGNATURE POWERS OF ATTORNEY are NOT valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSFIERE SIN SU FIRMA</p> <p>PODER DE ABOGADO NO es válido para fines de votación.</p> <p>MOVED</p> <p>PHIL THE BALLOT YOUR SIGNATURE POWERS OF ATTORNEY (TELEFONO, si la firma es cuestionada)</p> <p>DATE / FECHA</p>
Power of Attorney (POA)	Exception 	<p>PHIL THE BALLOT BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are NOT valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSFIERE SIN SU FIRMA</p> <p>PODER DE ABOGADO NO es válido para fines de votación.</p> <p>Mark the Ballot, POA</p> <p>PHIL THE BALLOT YOUR SIGNATURE POWERS OF ATTORNEY (TELEFONO, si la firma es cuestionada)</p> <p>DATE / FECHA</p>
Signing on Behalf of the Voter (i.e., Joe Doe signing for Sally Doe)	Exception 	<p>PHIL THE BALLOT BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are NOT valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSFIERE SIN SU FIRMA</p> <p>PODER DE ABOGADO NO es válido para fines de votación.</p> <p>Mark the Ballot for Phil the Ballot</p> <p>PHIL THE BALLOT YOUR SIGNATURE POWERS OF ATTORNEY (TELEFONO, si la firma es cuestionada)</p> <p>DATE / FECHA</p>





EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
Incapacitated noted on Packet	Exception 	<p>PHIL THE BALLOT</p> <p>BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSFIERE SIN SU FIRMA</p> <p>PODER DE ABOGADO NO es válido para fines de votación.</p> <p>INCAPACITATED</p> <p>PLEASE, if signature is questionable (TELÉFONICO, si la firma es cuestionable)</p> <p>DATE/TIEMPO</p>
Initials Only (Not on Historical Record being Compared)	Exception 	<p>PHIL THE BALLOT</p> <p>BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSFIERE SIN SU FIRMA</p> <p>PODER DE ABOGADO NO es válido para fines de votación.</p> <p>PTB</p> <p>PLEASE, if signature is questionable (TELÉFONICO, si la firma es cuestionable)</p> <p>DATE/TIEMPO</p>
A Mark such as an X (Not on Historical Record being Compared)	Exception 	<p>PHIL THE BALLOT</p> <p>BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSFIERE SIN SU FIRMA</p> <p>PODER DE ABOGADO NO es válido para fines de votación.</p> <p>X</p> <p>PLEASE, if signature is questionable (TELÉFONICO, si la firma es cuestionable)</p> <p>DATE/TIEMPO</p>






EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
The Name <u>Printed</u> on the Affidavit does not Match the Signature or Historical Record	Exception	
Stamped Signature (Not on Historical Record being Compared)	Exception	
"Unable to Sign due to Disability"	Exception	





Signature Verification (Manager level) Job Aid







**Purpose:** The job aid is designed to provide guidance on examples staff may see on the affidavit envelope (electronic) when performing signature verification in the manager queue. The manager queue role reviews all records marked as an exception by the user.

EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
Signature can be Verified when Compared to the Historical Records	<div>Good</div> <div>✓</div> <div>Good</div>	 <p>PHIL THE BALLOT</p> <p>BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE</p> <p>POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSMITE SIN SU FIRMA</p> <p>POWERS DE ABOGADO NO son válidos para fines de votación.</p> <p>Phil the Ballot</p> <p>PLEASE SIGNATURE IN ENGLISH (TRANSLATE TO SPANISH)</p> <p>DATE / FECHA</p>
A Mark can be Verified when Compared to the Historical Records	<div>Good</div> <div>✓</div> <div>Good</div>	 <p>PHIL THE BALLOT</p> <p>BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE</p> <p>POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSMITE SIN SU FIRMA</p> <p>POWERS DE ABOGADO NO son válidos para fines de votación.</p> <p>X</p> <p>PLEASE SIGNATURE IN ENGLISH (TRANSLATE TO SPANISH)</p> <p>DATE / FECHA</p>
"Verified and Approved MCTEC" Stamp	<div>Good</div> <div>✓</div> <div>Good</div>	 <p>PHIL THE BALLOT</p> <p>BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE</p> <p>POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRANSMITE SIN SU FIRMA</p> <p>POWERS DE ABOGADO NO son válidos para fines de votación.</p> <p>Phil the Ballot</p> <p>PLEASE SIGNATURE IN ENGLISH (TRANSLATE TO SPANISH)</p> <p>DATE / FECHA</p>






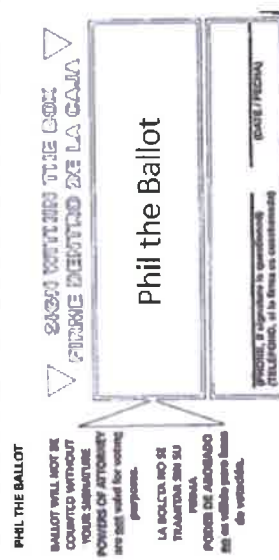




**MARICOPA COUNTY**  
Elections Department







EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
Mark, such as an X (Not on Historical Records being Compared) with a "Verified and Approved MCTEC" Stamp		
No Signature		
Signature is Flipped Upside Down (to purposely add to smaller NS review queue)		



EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
Signature Cannot be Verified with the Historical Records being Compared	<p>Need Packet</p>  <p>Need Packet</p>	
Part of the Signature Missing Not on Historical Record being Compared)	<p>Need Packet</p>  <p>Need Packet</p>	
Printed Name (Not on Historical Records being Compared)	<p>Need Packet</p>  <p>Need Packet</p>	





EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
Deceased noted by Household Member	Deceased 	
Wrong Name is Signed in the Signature Box. The last names are identical.	Household Exchange 	
Wrong Name is Signed in the Signature Box. The last names are different	Need Packet 	





# MARICOPA COUNTY

## Elections Department



EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
Moved noted on Packet	Need Packet 	<p>PHIL THE BALLOT</p> <p>YOUR SIGNATURE POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRAMITA SIN SU FIRMA</p> <p>PODER DE ABOGADO no es válido para fines de votación.</p> <p>MOVED</p> <p>PLEASE, if signature is questionable (TELÉFONO, si la firma es cuestionable)</p> <p>DATE / FECHA</p>
Power of Attorney (POA)	Need Packet 	<p>PHIL THE BALLOT</p> <p>BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE</p> <p>POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRAMITA SIN SU FIRMA</p> <p>PODER DE ABOGADO no es válido para fines de votación.</p> <p>Mark the Ballot, POA</p> <p>PLEASE, if signature is questionable (TELÉFONO, si la firma es cuestionable)</p> <p>DATE / FECHA</p>
Signing on Behalf of the Voter (i.e., Joe Doe signing for Sally Doe)	Need Packet 	<p>PHIL THE BALLOT</p> <p>BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE</p> <p>POWERS OF ATTORNEY are not valid for voting purposes.</p> <p>LA BOLTA NO SE TRAMITA SIN SU FIRMA</p> <p>PODER DE ABOGADO no es válido para fines de votación.</p> <p>Mark the Ballot for Phil the Ballot</p> <p>PLEASE, if signature is questionable (TELÉFONO, si la firma es cuestionable)</p> <p>DATE / FECHA</p>


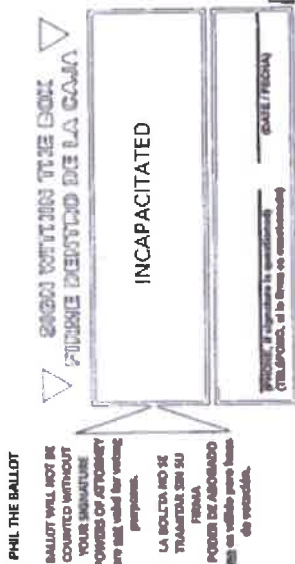

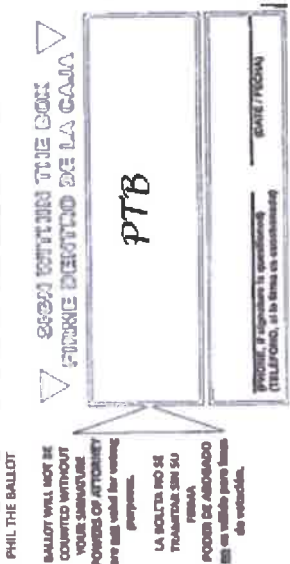

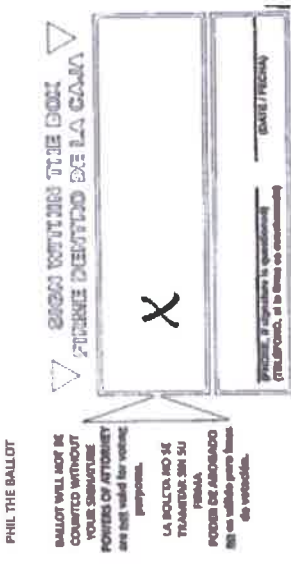







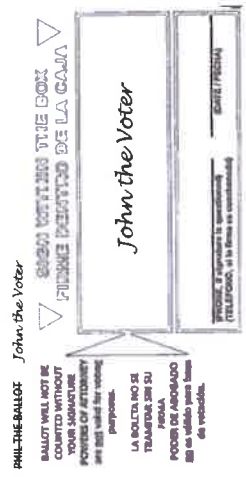


# MARICOPA COUNTY

Elections Department




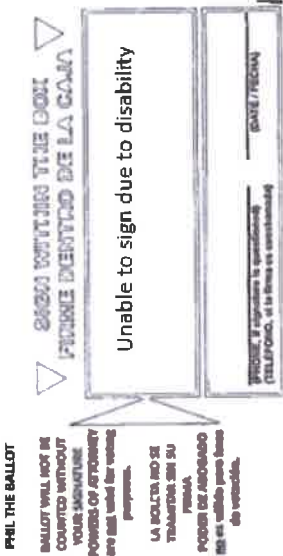
EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
Incapacitated noted on Packet	<p>Need Packet</p> 	
Initials Only (Not on Historical Records being Compared)	<p>Need Packet</p> 	
A Mark such as an X (Not on Historical Records being Compared)	<p>Need Packet</p> 	



EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
The Name <u>Printed</u> on the Affidavit does not Match the Signature or Historical Records. <b>The last names are identical.</b>	Household Exchange 	
The Name <u>Printed</u> on the Affidavit does not Match the Signature or Historical Records. <b>The last names are different.</b>	Need Packet 	
Stamped Signature (Not on Historical Records being Compared)	Need Packet 	





EXAMPLE ON THE AFFIDAVIT SIGNATURE IMAGE	DISPOSITION IN EVRT/EV26 SCREEN	COMMENTS
"Unable to Sign due to Disability" not on the historical records. (to purposely add to smaller NS review queue)		





**Office of the Recorder**  
Maricopa County, Arizona

111 South Third Avenue  
Phoenix, Arizona 85003-2281  
Phone: (602) 506-3535  
Fax: (602) 506-3273

*County Recorder Stephen Richer*

September 15, 2021

Jennifer Wright, Esq.  
Assistant Attorney General  
Elections Integrity Unit  
Office of the Arizona Attorney General Mark Brnovich  
2005 N Central Avenue, 6th Floor  
Phoenix, AZ 85004

Dear Ms. Wright:

On September 13th, 2021, the Maricopa County Recorder's Office (the "Office") received notice that an unknown individual posted a county voter registration file to the internet for public access at the following link: <https://www.mandaringop.com/arizona/VM51B-Voter.php>. The link contains the entire VM51 file of 2,533,301 registered county voters, current as of March 24, 2021, containing individual names, addresses, birth years, partisan identifications, and voting histories (*not* how the voter voted, but whether or not the voter cast a ballot in a particular election).

The Office regularly produces the VM51 file pursuant to public records requests. All organizations and individuals requesting the VM51 file must acknowledge and accept the following statements (emphasis added) on the first page of the form (attached as Exhibit A):

"I agree that the voter data will not be used for a commercial purpose.

I agree that the voter data will not be *posted on the internet*.

I agree to pay the applicable cost for the number of records.

I understand that the Recorder has 30 days to reproduce copies of voter data.

I agree not to hold Maricopa County or the Maricopa County Recorder liable or responsible for any inaccurate or incomplete information that I receive.

I understand and agree that Maricopa County does not guarantee the accuracy of the data and information requested and hereby expressly disclaims any responsibility for the truth, lack of truth, validity, invalidity, accuracy, inaccuracy of any said data and information.

I understand and accept responsibility for unauthorized use or transmission of any such data or information in its actual or altered form.

I have read and understand all of the terms and conditions\* in order to receive voter data."

On the second page of the form, the Terms and Conditions alerts the requester that **"Internet Posting is Prohibited."**

The bottom of the second page of the form advises that a ***"A PERSON WHO VIOLATES ANY OF THESE PROVISIONS, AS SET FORTH IN A.R.S. § 16-168(E) AND (F) IS GUILTY OF A CLASS 6 FELONY."***

The prohibitions and limitations are listed in both English and Spanish.



## Exhibit D

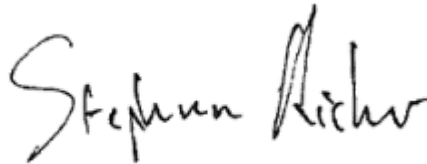
A.R.S. § 16-168(F) states that “[a] person in possession of information derived from voter registration forms or precinct registers shall not distribute, post or otherwise provide access to any portion of that information through the internet except as authorized by subsection I of this section ... A person who violates this subsection or subsection E of this section is guilty of a class 6 felony.”

For that reason, we are referring this matter to your office for investigation into potential felonious wrongdoing.

We believe the individual poster may be [REDACTED]. When a request is made for the VM51 file, all active voters are compiled into a database for transmission, including voters who registered as of the day of the request. The last date of registration in the VM51 file posted to the internet is March 24, 2021. The Office only received one request of the VM51 file that corresponds with that timeline—the request from [REDACTED], which is attached as Exhibit B, together with receipt of payment from [REDACTED], which is attached as Exhibit C. [REDACTED] made his request on March 23, 2021; the Office downloaded the VM51 file on March 24, 2021, and produced the file to [REDACTED] on March 25, 2021.

Please let me know if you need additional information.

Thank you for your attention to this matter.

A handwritten signature in black ink that reads "Stephen Richer". The signature is written in a cursive, flowing style.

**Stephen Richer**  
Maricopa County Recorder



## **Exhibit A. Public Record Request For Voter Information**





# MARICOPA COUNTY RECORDER

## Public Record Request for Voter Information

Request is hereby made to ☐ inspect -or- ☐ reproduce the following public record(s):

Is the data sought for an authorized purpose? If yes, explain the purpose:

Requestor's initials are **required** for each of the following statements:

- ☐ I agree that the voter data will not be used for a commercial purpose.
- ☐ I agree that the voter data will not be posted on the internet.
- ☐ I agree to pay the applicable cost for the number of records.
- ☐ I understand that the Recorder has 30 days to reproduce copies of voter data.
- ☐ I agree not to hold Maricopa County or the Maricopa County Recorder liable or responsible for any inaccurate or incomplete information that I receive.
- ☐ I understand and agree that Maricopa County does not guarantee the accuracy of the data and information requested and hereby expressly disclaims any responsibility for the truth, lack of truth, validity, invalidity, accuracy, inaccuracy of any said data and information.
- ☐ I understand and accept responsibility for unauthorized use or transmission of any such data or information in its actual or altered form.
- ☐ I have read and understand all of the terms and conditions\* in order to receive voter data.

I hereby certify that all of the information provided by \_\_\_\_\_ is true and accurate under the penalty of perjury. *(printed name of the requestor)*

\_\_\_\_\_  
**Signature of Requestor**

\_\_\_\_\_  
**Date**

**Contact Information (please print):**

Individual Name / Committee Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email Address: \_\_\_\_\_

**SELECT DESIRED VOTER RECORD:**

*EACH FILE IS PROVIDED ON CD ROM (\$25.00 Minimum Charge for each CD)*

☐

**Precinct Voter List VM51**

**District(s):** \_\_\_\_\_

This file can be requested by bound districts only (*Leg, Cong, Sup, Precinct, Countywide*)  
VM51 contains the following: Name, Address, Mailing Address, Party, Date of Registration,  
Districts, PEVL indicator, Voting History

☐

**Mailing List VR02 (Circle One) (Household) -or- (Individual)**

**District(s):** \_\_\_\_\_

VR02 Contains Voter Name/Address/Polling Place information\* (*if available*)



## Exhibit D

☐

Early Voter List (Circle One or Both)

EV32 (requested) -or- EV33 (returned)

Select Option:

☐

Daily CD

or

☐

Weekly CD

District(s): \_\_\_\_\_

(the "district" option does not apply for COUNTYWIDE elections. Please specify "district" for any city/town/school or special district conducting an independent election)

EV32 & 33 file contains: Voter ID, Name, Address, Phone Number

☐

**PEVL (Permanent Early Voter Listing)** – Only for a specified election, city/town or county

**Specify Election, City/Town or ALL county:** \_\_\_\_\_

PEVL listing contains: (Name, Address, Mailing Address, Party, Date of Registration, Districts)

☐

**Voted File**

**Election(s):** \_\_\_\_\_

(Includes voters that participated in a specific election – if the district was on a countywide ballot the file includes ALL Voters – Name, Voter ID, Residence Address, Precinct/District, Party Affiliation, Ballot Type)

### **\*Terms and Conditions:**

I understand that voter registration files, lists or reports ("voter data") from Maricopa County's Voter Register are subject to protections and restrictions as provided by Arizona law. I agree to the following terms and conditions to receiving data electronically from the Maricopa County Recorder's Office:

#### **1. Voter data is sought for an authorized use.**

Precinct registers and other lists and information derived from registration forms may be used only for the following purposes:

- relating to a political or political party activity,
- a political campaign or an election,
- for revising election district boundaries or
- for any other purpose specifically authorized by law

Any person in possession of a precinct register or list, in whole or part, or any reproduction of a precinct register or list, shall not permit the register or list to be used, bought, sold or otherwise transferred for any purpose except for uses otherwise authorized.

**2. Voter data will not be used for a commercial purpose.** These records may not be used for a commercial purpose as defined in A.R.S. § 39-121.03. The sale of registers, lists and information derived from registration forms to a candidate or a registered political committee for a use specifically authorized by this subsection does not constitute use for a commercial purpose.

**3. Internet Posting is Prohibited.** A person in possession of information derived from voter registration forms or precinct registers shall not distribute, post or otherwise provide access to any portion of that information through the internet.

**4. Charge for Records.** The County Recorder on a request for an authorized use shall prepare copies records and furnish them to any person requesting them on payment of a fee equal to the following amounts for the following number of voter registration records provided:

Number of Records	Flat Rate	Additional Cost Per Record
1 - 124,999	\$93.75	\$0.0005
125,000 – 249,999	\$156.25	\$0.000375
250, 000 – 499,999	\$203.13	\$0.00025
500,000 -999,999	\$ 265.63	\$0.000125
1,000,000 or more	\$328.13	\$0.0000625

#### **5. If for an authorized use, the following voter data will be redacted:**

- the month and day of birth date,
- the social security number or any portion thereof,
- the driver license number or non-operating identification license number,
- the indian census number,
- the father's name or mother's maiden name,
- the state or country of birth
- the records containing a voter's signature
- voter's email address.

#### **6. Unredacted voter data will be accessible to, or reproduced, only for the following individuals:**

- the voter,
- an authorized government official in the scope of the official's duties,
- for any purpose by an entity designated by the Secretary of State as a voter registration agency pursuant to the national voter registration act (NVRA)
- for signature verification on petitions and candidate filings,
- for election purposes and
- for news gathering purposes by a person engaged in newspaper, radio, television or reportorial work, or connected with or employed by a newspaper, radio or television station or pursuant to a court order.
- **However, notwithstanding any other law, a voter's e-mail address may not be released for any purpose.**

***A PERSON WHO VIOLATES ANY OF THESE PROVISIONS, AS SET FORTH IN A.R.S. §16- 168(E) AND (F) IS GUILTY OF A CLASS 6 FELONY.***





# REGISTRADOR DEL CONDADO DE MARICOPA

## Solicitud de Datos de Votante del Registro Público

Por la presente se solicita(n) para ☐ inspeccionar -o- ☐ copiar el(los) siguiente(s) documento(s) público(s):

¿Se buscan los datos para un propósito autorizado? Si es así, explique el propósito:

Se **requieren** las iniciales del solicitante para cada una de las siguientes declaraciones:

- ☐ Estoy de acuerdo en que los datos de votante no se usarán para propósitos comerciales.
- ☐ Estoy de acuerdo en que los datos de votante no se publicarán en la internet.
- ☐ Estoy de acuerdo en pagar por los costos correspondientes por el número de documentos.
- ☐ Entiendo que el Registro tiene 30 días para hacer las copias de los datos de votante.
- ☐ Estoy de acuerdo en no responsabilizar al Condado de Maricopa o al Registro del Condado de Maricopa por cualquier información incorrecta o incompleta que yo reciba.
- ☐ Entiendo y estoy de acuerdo en que el Condado de Maricopa no garantiza la exactitud de los datos e información solicitada y por este medio renuncia expresamente a cualquier responsabilidad por la veracidad, falta de veracidad, validez, invalidez, exactitud, falta de exactitud de dichos datos e información.
- ☐ Entiendo y acepto la responsabilidad por el uso no autorizado o transmisión de dichos datos o información en su forma actual o en forma alterada.
- ☐ He leído y entiendo todos los términos y condiciones\* para recibir datos de votante.

Por la presente certifico que toda la información proporcionada por \_\_\_\_\_ es verdadera y exacta bajo pena de perjurio. *(nombre del solicitante en letras de molde)*

Firma del Solicitante

Fecha

### **Información de Contacto (por favor use letras de molde):**

Nombre de la Persona / Nombre del Comité: \_\_\_\_\_

Dirección: \_\_\_\_\_

Teléfono #: \_\_\_\_\_ Dirección de correo electrónico: \_\_\_\_\_

### **SELECCIONE EL DOCUMENTO DE VOTANTE QUE DESEA:**

**CADA ARCHIVO SE PROPORCIONE EN CD ROM (\$25.00 Recargo Mínimo por cada CD)**

☐

#### **Lista de Recintos de Votantes VM51**

**Distrito(s):** \_\_\_\_\_

Este archivo puede solicitarse solamente para distritos organizados *(Leg, Cong, Sup, Recinto, Todo el Condado)*

VM51 contiene lo siguiente: Nombre, Dirección, Dirección Postal, Partido, Fecha de Inscripción, Distritos, indicador PEVL, Historial de Votación

☐

#### **Lista Postal VR02 (Haga un Círculo en Uno) (Hogar) -o- (Individuo)**

**Distrito(s):** \_\_\_\_\_

VR02 Contiene Nombre de Votante/Dirección/información de Lugar de Votación\* *(si está disponible)*

☐

#### **Lista para Votación Temprana (Haga un Círculo en Uno o Ambos) EV32 (solicitado) -o- EV33 (devuelto)**

**Selección de Opción:**

☐

CD Diario o

☐

CD Semanal

**Distrito(s):** \_\_\_\_\_

*(la opción de "distrito" no se aplica a elecciones DE TODO EL CONDADO. Por favor especifique "distrito" para cualquier ciudad/pueblo/escuela o distrito especial llevando a cabo una elección independiente)*

EV32 & archivo 33 contiene: ID de Votante, Nombre, Dirección, Número de Teléfono



## Exhibit D

☐

**PEVL (Lista Permanente para Votación Temprana)** – Solamente para una elección especificada, ciudad/pueblo o condado

**Especifique la Elección, Ciudad/Pueblo o TODO el condado:** \_\_\_\_\_  
Lista PEVL contiene: (Nombre, Dirección, Dirección Postal, Partido, Fecha de Inscripción, Distritos)

☐

**Archivo de Elección(es)**

**Votada(s):** \_\_\_\_\_

(Incluye votantes que participaron en una elección específica – si el distrito estaba en una boleta de todo el condado el archivo incluye TODOS los Votantes – Nombre, ID de Votante, Dirección de Domicilio, Recinto/Distrito, Afiliación de Partido, Tipo de Boleta)

**\*Términos y Condiciones:**

Entiendo que los archivos de inscripción de votantes, listas o informes (“datos de votante”) del Registro de Votantes del Condado de Maricopa están sujetos a protecciones y restricciones conforme a la ley de Arizona. Estoy de acuerdo en obedecer los términos y condiciones a continuación para recibir datos electrónicamente de la Oficina del Registro del Condado de Maricopa:

**1. Datos de votantes se buscan para un uso autorizado.**

Registros de recintos y otras listas e información derivada de formularios de inscripción puede usarse solamente para los siguientes propósitos:

- con relación a una actividad política o actividad de partido político,
- una campaña política o una elección,
- para revisar límites de distritos electorales o
- para cualquier otro propósito específicamente autorizado por la ley

Cualquier persona en posesión de un registro o una lista de un recinto, en su totalidad o en parte, o cualquier copia de un registro o una lista de un recinto, no permitirá que el registro o la lista sean usados, comprados, vendidos o transferidos de otra manera para cualquier propósito excepto para los usos que están autorizados.

**2. Datos de votante no se usarán para propósitos comerciales.** Estos documentos no se pueden usar para fines comerciales de acuerdo a lo definido en A.R.S. § 39-121.03. La venta de registros, listas e información derivada de los formularios de inscripción a un candidato o a un comité político inscrito para un uso específicamente autorizado por esta subsección no constituye un uso para fines comerciales.

**3. Se Prohíbe la Publicación en Internet.** Una persona en posesión de información derivada de los formularios de inscripción de votantes o de los registros de recintos no deberá distribuir, publicar o proporcionar acceso de ninguna parte de esa información a través de la Internet.

**4. Cobro por Documentos.** El Registro del Condado en una solicitud para un uso autorizado preparará copias de documentos y se los proporcionará a cualquier persona que los solicite mediante el pago de una tarifa igual a las siguientes cantidades por el siguiente número de documentos de inscripción de votantes proporcionados:

Número de Documentos	Tarifa Fija	Costo Adicional Por Documento
1 - 124,999	\$93.75	\$0.0005
125,000 – 249,999	\$156.25	\$0.000375
250, 000 – 499,999	\$203.13	\$0.00025
500,000 -999,999	\$ 265.63	\$0.000125
1,000,000 or more	\$328.13	\$0.0000625

**5. Si es para un uso autorizado, los siguientes datos de votante serán editados:**

- el mes y el día de nacimiento,
- el número de seguro social o cualquier porción del mismo,
- el número de la licencia para conducir o el número identificación de una licencia que no es para conducir,
- el número de censo indígena,
- el nombre del padre o el nombre de soltera de la madre,
- el estado o el condado de nacimiento
- los documentos que contienen la firma de un votante
- la dirección del correo electrónico del votante.

**6. Datos de votante sin editar estarán accesibles para, o se copiarán, solamente para las siguientes personas:**

- el votante,
- un oficial de gobierno autorizado en el ámbito de las funciones oficiales,
- para cualquier propósito por una entidad designada por el Secretario de Estado como una agencia de inscripción de votantes en conformidad con la ley nacional de inscripción de votantes (cuyas siglas en inglés son NVRA)
- para verificación de firma en solicitudes y entregas de documentos de candidatos,
- para propósitos de elección y
- para propósitos de recopilación de noticias por una persona dedicada al trabajo en periódicos, radio, televisión o de reportaje, o conectada con o empleada por un periódico, radio o estación de televisión o de conformidad con una orden judicial.
- **Sin embargo, a pesar de cualquier otra ley, la dirección de correo electrónico de un votante no se puede dar a conocer bajo ningún propósito.**

**UNA PERSONA QUE INFRINJA CUALQUIERA DE ESTAS DISPOSICIONES, COMO SE ESTABLECEN EN A.R.S. §16- 168(E) Y (F) ES CULPABLE DE UN DELITO DE CLASE 6.**



**Exhibit B. Public Record Request from**







# MARICOPA COUNTY RECORDER

## Public Record Request for Voter Information

Request is hereby made to ☐ inspect -or- ☒ reproduce the following public record(s):

Maricopa County voter registration information as of 12/31/2020

Is the data sought for an authorized purpose? If yes, explain the purpose:

No

Requestor's initials are **required** for each of the following statements:

- RL I agree that the voter data will not be used for a commercial purpose.  
RL I agree that the voter data will not be posted on the internet.  
RL I agree to pay the applicable cost for the number of records.  
RL I understand that the Recorder has 30 days to reproduce copies of voter data.  
RL I agree not to hold Maricopa County or the Maricopa County Recorder liable or responsible for any inaccurate or incomplete information that I receive.  
RL I understand and agree that Maricopa County does not guarantee the accuracy of the data and information requested and hereby expressly disclaims any responsibility for the truth, lack of truth, validity, invalidity, accuracy, inaccuracy of any said data and information.  
RL I understand and accept responsibility for unauthorized use or transmission of any such data or information in its actual or altered form.  
RL I have read and understand all of the terms and conditions\* in order to receive voter data.

I hereby certify that all of the information provided by [REDACTED] is true and accurate under the penalty of perjury. (printed name of the requestor)

[REDACTED]  
Signature of Requestor

03/23/2021  
Date

### Contact Information (please print):

Individual Name / Committee Name: [REDACTED]

Address: [REDACTED]

Phone #: [REDACTED]

Email Address: [REDACTED]

### SELECT DESIRED VOTER RECORD:

*EACH FILE IS PROVIDED ON CD ROM (\$25.00 Minimum Charge for each CD)*



Precinct Voter List VM51

District(s):

Countywide

This file can be requested by bound districts only (Leg, Cong, Sup, Precinct, Countywide)

VM51 contains the following: Name, Address, Mailing Address, Party, Date of Registration, Districts, PEVL indicator, Voting History



Mailing List VR02 (Circle One)

(Household) -or- (Individual)

District(s):

VR02 Contains Voter Name/Address/Polling Place information\* (if available)



**Exhibit C. Invoice to [REDACTED] for Voter  
Registration File (VM51)**



## INVOICE

BILL TO

DATE: 3/25/2021  
INVOICE # PRR 21-7

VM51 Countywide File as of 3/24/21

DESCRIPTION	QUANTITY		PER UNIT	AMOUNT
Flat Rate	1	x	\$328.13	\$328.13
Per Record Cost (VM51)	2,600,242	x	\$0.0000625	\$162.52
				\$0.00
				\$0.00
TOTAL				\$490.65

REGISTER AND VOTE

Make all checks payable to Maricopa County Recorder/Elections Dept.  
MCTEC, 510 S. 3rd Avenue, Phoenix AZ 85003